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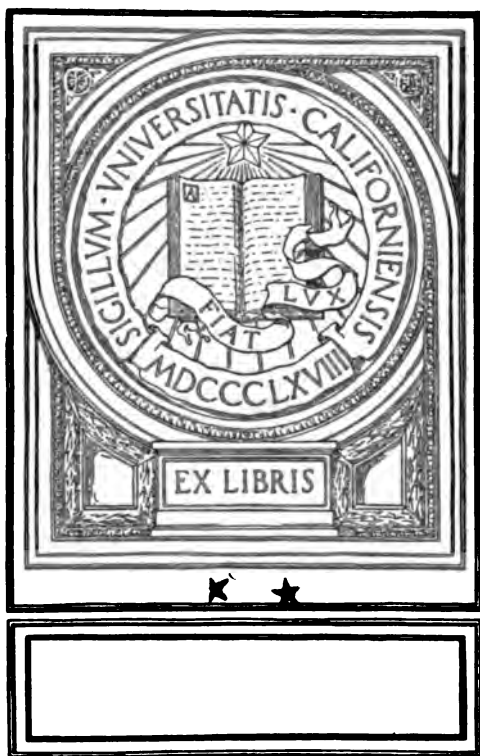
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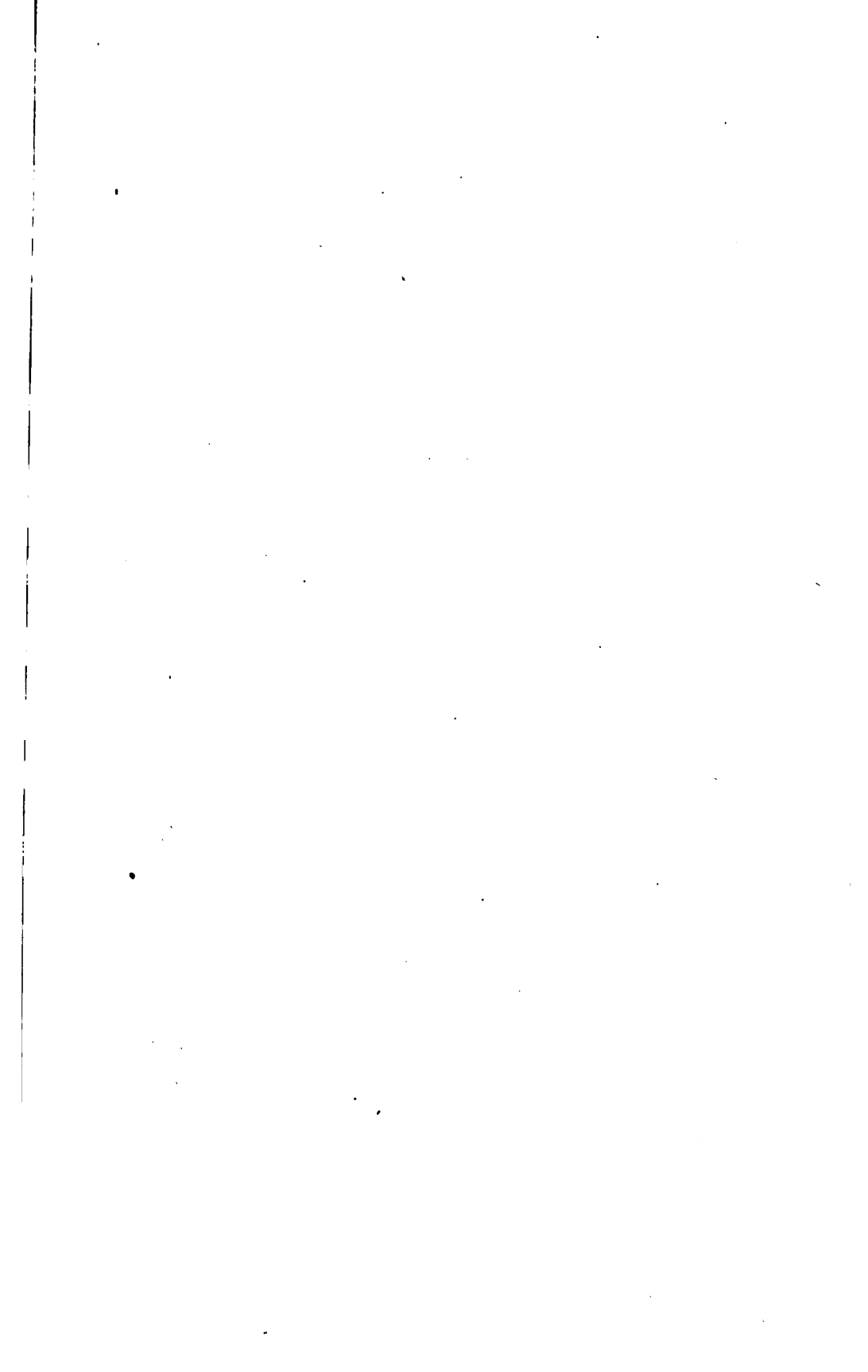
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THE  
SECOND LEGISLATIVE ASSEMBLY  
OF THE  
TERRITORY OF HAWAII



**REGULAR SESSION**

10th of  
January  
1903

**JOURNAL OF THE SENATE**

**1903**



HONOLULU  
THE ROBERT GRIEVE PUBLISHING CO., LTD.  
1903

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## SENATORS.

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	District.	Island.	P. O. Address.
•ACHI, W. C.....	3	Oahu .....	Honolulu
•BALDWIN, H. P.....	2	Maui, Molokai and La- nai .....	Haiku
•BROWN, CECIL.....	3	Oahu .....	Honolulu
•BROWN, JOHN T.....	1	Hawaii .....	Hilo
•CRABBE, CLARENCE L....	3	Oahu .....	Honolulu
✓DICKEY, C. H.....	2	Maui, Molokai and La- nai .....	Makawao
✓ISENBERG, D. PAUL R....	3	Oahu .....	Honolulu
•KAIUE, S. E.....	2	Maui, Molokai and La- nai .....	Wailuku
•KALAUOKALANI, D.....	3	Oahu .....	Honolulu
•KAOHI, J. B.....	1	Hawaii .....	Kohala
✓McCANDLESS, L. L.....	3	Oahu .....	Honolulu
•NAKAPAAHU, L.....	4	Kauai and Niihau..	Waimea
•PARIS, JOHN D.....	1	Hawaii .....	Kealakeakua
✓WILCOX, S. W.....	4	Kauai and Niihau...	Lihue
✓WOODS, PALMER P.....	1	Hawaii .....	Puuhue

## OFFICERS OF THE SENATE.

---

President.....	HON. CLARENCE L. CRABBE.
Vice President.....	HON. JOHN D. PARIS.
Clerk of the Senate.....	WILLIAM SAVIDGE.
Assistant Clerk.....	NOA W. ALULI
Interpreter.....	{ *JOHN E. BUSH **ELI J. CRAWFORD
Sergeant-at-Arms.....	WILLIAM HOLI THORNTON.
Chaplain.....	REV. J. M. EZERA
Messenger.....	DAVID KAMA*
Janitor.....	SOLOMON PAAWELA

---

\* From February 18th, 1903, to March 7th, 1903.

\*\* From March 9th, 1903, to April 28th, 1903.

## SENATE STANDING COMMITTEES.

---

### *Ways and Means.*

Senators H. P. Baldwin, J. D. Paris and S. E. Kaiue.

### *Judiciary.*

Senators Cecil Brown, W. C. Achi and Palmer P. Woods.

### *Public Expenditures.*

Senators J. D. Paris, L. L. McCandless and L. Nakapaahu.

### *Public Lands, Internal Improvements, Agriculture, Etc.*

Senators L. L. McCandless, J. D. Paris and J. B. Kaohi.

### *Health and Education.*

Senators S. W. Wilcox, H. P. Baldwin and Palmer P. Woods.

### *Enrollment, Revision and Printing.*

Senators Cecil Brown, D. P. R. Isenberg and D. Kalaualani.

### *Accounts.*

Senators D. P. R. Isenberg, W. C. Achi and J. T. Brown.

### *Rules and Joint Resolutions.*

Senators Cecil Brown, C. H. Dickey and S. E. Kaiue.

### *Miscellaneous.*

Senators C. H. Dickey, D. P. R. Isenberg and S. E. Kaiue.





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# SECOND LEGISLATIVE ASSEMBLY

OF THE

## TERRITORY OF HAWAII

IN REGULAR SESSION

### JOURNAL OF THE SENATE

FIRST DAY.

Wednesday, February 18th, 1903.

The Senate met in regular session at 10 o'clock, Senator Isenberg nominating Senator Baldwin as temporary President. Seconded by Senator Woods and carried.

Senator Baldwin then took the chair and called the Senate to order.

After prayer by the Rev. J. M. Ezera, Senator Achi nominated William Savidge as temporary Secretary. Seconded by Senator McCandless and carried.

Senator C. Brown moved that formal examination of credentials be dispensed with. Seconded by Senator Dickey.

Senator Achi moved as an amendment to add that the members be not sworn, having been sworn in at the special session. Seconded by Senator Kalaaukalani and carried.

Senator Achi moved to proceed to the election of permanent officers. Seconded by Senator Isenberg and carried.

Senator Isenberg introduced the following resolution:

#### RESOLUTION.

Resolved, That the following named gentlemen are hereby appointed officers of the Senate:

President.....C. L. Crabbe, Esq  
Vice President.....John D. Paris, Esq.  
Secretary.....William Savidge, Esq.

## SENATE JOURNAL.

Assistant Secretary.....Noa W. Aluli, Esq  
 Interpreter.....John E. Bush, Esq.  
 Sergeant-at-Arms.....William Holi Thornton, Esq.  
 Chaplain.....Rev. J. M. Ezera  
 Messenger.....David Kama, Esq.  
 Janitor.....Solomon Paawela, Esq.

D. PAUL R. ISENBERG.

February 18th, 1903.

Seconded by Senator Kalauokalani and adopted unanimously.  
 The Chair appointed Senator Achi a committee of one to escort the President to the chair.

President Crabbe then took the chair, thanking the members for the honor conferred upon him and asking the assistance of all of the members in the performance of his duties.

Senator Dickey moved that the President swear in the Chaplain and Sergeant-at-Arms. Seconded by Senator Isenberg and carried.  
 The Chaplain and the Sergeant-at-Arms were then sworn in by the President.

Senator Achi moved that the Rules of the Legislature of 1901 be adopted until the Committee on Rules reports. Seconded by Senator J. T. Brown and carried.

Senator Dickey suggested that the Senate should not use any more time interpreting than is absolutely necessary, and that when any member did not understand any of the proceedings he should so signify and then only should there be any interpreting.

Senator McCandless introduced the following resolution:

## RESOLUTION.

Resolved, That the following amounts be allowed as salaries for the officers of the Senate, as follows:

Secretary . . . . .	\$10 00 per diem
Assistant Secretary . . . . .	6 00 per diem
Interpreter . . . . .	8 00 per diem
Sergeant-at-Arms . . . . .	5 00 per diem
Chaplain . . . . .	\$150 00 in full for the Session
Messenger . . . . .	\$ 3 00 per diem
Janitor . . . . .	2 00 per diem

L. L. McCANDLESS.

Seconded by Senator Kalauokalani and adopted.

Senator Achi introduced the following resolution:

RESOLUTION.

That the Secretary of the Senate be and he is hereby directed to notify the House of Representatives that the Senate is duly organized and prepared to transact business; also to notify the Lower House the names of the duly elected officers of the Senate.

W. C. ACHI,  
Senator 3rd District.

Seconded by Senator Kalaauokalani and adopted.

Senator C. Brown moved that the Secretary of the Senate be instructed to notify the Governor that the Senate is ready for business. Seconded by Senator Kalaauokalani.

Senator Achi moved as an amendment that a committee be appointed to wait upon the Governor with a similar committee from the House. Senator C. Brown accepted the amendment.

Senator Baldwin moved as an amendment that a committee be appointed to wait upon the Governor and notify him that the Senate is ready for business. Seconded by Senator Dickey and carried.

The Chair appointed Senators Baldwin, C. Brown and Kalaauokalani.

At 10:30 o'clock the Chair announced a recess of five minutes.

The Senate reconvened at 10:33 o'clock, Senator Baldwin reporting that the Governor was not in his office, and that the Committee has been informed that the Governor would send his message as soon as both Houses were ready for business and that he would probably be in his office at 1 o'clock.

At 10:35 o'clock Senator Isenberg moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Kalaauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

## SECOND DAY.

Thursday, February 19th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called, showing Senators Dickey, Nakapaahu (reported sick), and Paris absent.

The Journal of the first day was read and, upon motion of Senator J. T. Brown, seconded by Senator C. Brown, approved as read.

Senator Isenberg for the Committee on Accounts reported as follows:

The Committee on Accounts beg leave to make the following report:

## SALARIES.

Wm. Savidge, Secretary, 12 days' salary, each day	
\$12.50 . . . . .	\$150 00
Jno. E. Bush, Interpreter, 12 days' salary, each day	
\$10.00 . . . . .	120 00
I. L. Cockett, Sergeant-at-Arms, 12 days' salary, each day	
\$5.00 . . . . .	60 00
John Kalino, Chaplain, 12 days' salary, each day	\$5.00.. 60 00
S. Paawela, Janitor, 12 days' salary, each day	\$2.00.... 24 00
David Kama, Messenger, 12 days' salary, each day	\$3.00 36 00
Wm. Savidge, 7 days' extra pay, each day	\$12.50 ..... 87 50
	<hr/>
	\$537 50
	<hr/>

D. PAUL R. ISENBERG,

PALMER P. WOODS.

## SUNDRY ACCOUNTS.

Pacific Hardware Company, 1 Mop and Handle.....	\$ 50
Miss M. Peterson, Typewriting . . . . .	1 50
Eli J. Crawford, Typewriting and Translating . . . . .	26 65
D. H. Kahalelio, Translating . . . . .	27 75
Mercantile Printing Co., Printing . . . . .	10 00
Hon. Steam Planing Mill, 1 Gavel . . . . .	2 50

Hawaiian Star, Printing . . . . .	2 50	
A. Barnes, Services . . . . .	110 00	
Hawaiian Electric Co., Ice . . . . .	80	
P. Silva, Typewriting . . . . .	29 10	
D. P. R. Isenberg, Postage Stamps . . . . .	10 00	
F. D. Creedon, Typewriting . . . . .	2 50	
P. Maurice McMahon, Typewriting and Stenography . . . . .	66 25	
D. Kalauokalani, Jr., Typewriting and Translating . . . . .	2 55	
Wall, Nichols Co., Stationery . . . . .	\$ 50	
	2 50	
	75	
	90	
	75	5 40
<hr/>		
Hawaiian News Co., Stationery . . . . .	\$5 50	
	4 75	10 25
<hr/>		
		\$308 25
Hawaiian Gazette Co., Binding Journal . . . . .	4 00	
<hr/>		
		\$312 25
<hr/>		

D. PAUL R. ISENBERG,  
PALMER P. WOODS.

Senator Baldwin moved that the report of the Committee be adopted. Seconded by Senator Woods.

Senator Achi moved as an amendment that the report of the Committee be adopted, and that a Committee be appointed to prepare a Bill to provide for the expenses of the Legislature. Senator Baldwin accepted the amendment, which carried unanimously.

The Chair appointed Senators C. Brown, Baldwin and Woods.

Senator C. Brown gave notice of intention to introduce a Bill entitled "An Act authorizing the deposit of public money in a designated depository, to provide for the safe keeping and re-payment thereof, and to provide security therefor."

President Crabbe here called Senator C. Brown to the Chair.

Senator Crabbe gave notice of intention to introduce a Bill entitled "An Act to provide Counties in the Territory of Hawaii."

Senator Crabbe moved that the Rules be suspended to allow first reading of the Bill. Seconded by Senator Isenberg.

Senator Dickey moved as an amendment that the Rules be suspended and that the Bill be read first time by title. Seconded by Senator Isenberg and carried.

The Bill passed first reading by title.



Senator Achi gave notice of intention to introduce a Bill entitled "An Act to repeal Act 20 of the Session Laws of 1901, relating to Income Tax."

Senator Achi moved that the Rules be suspended and the Bill be read first time by title. Seconded by Senator Isenberg and carried.

The Bill passed first reading by title.

Senator C. Brown moved that a special committee be appointed to go over the Rules of the House and recommend the passage of new rules. Seconded by Senator Achi and carried.

The Chair appointed Senators C. Brown, Dickey and Kaiue.

Senator Achi gave notice of intention to introduce a Bill entitled "An Act to repeal Acts 9 and 10, Session Laws of 1901."

Senator Achi introduced the following Joint Resolution:

**JOINT RESOLUTION OF THE LEGISLATURE OF THE TERRITORY OF HAWAII.**

Be it Resolved, by the Senate and House of Representatives of the Territory of Hawaii, That the Congress of the United States be and is hereby respectfully requested to pass, at an early date, an Act enabling the people of this Territory who are citizens thereof and duly qualified to vote, to meet in convention and frame and adopt a State Constitution, whereby and whereunder this Territory may be admitted as a State into the Union.

Resolved, That the Governor of this Territory be and is hereby requested to transmit a duly certified copy of this Resolution to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and the Delegate of the Territory of Hawaii in the Congress with the request that this Resolution be laid before the Congress of the United States

W. C. ACHI,  
Senator 3rd District.

February 18th, 1903.

Senator Baldwin moved the adoption of the Joint Resolution. Seconded by Senator Isenberg and carried unanimously.

At 10:35 o'clock Senator Isenberg moved to take a recess of five minutes. Seconded by Senator Dickey and carried.

At 10:40 o'clock the Senate reconvened, Senator Baldwin reporting that the Governor was ready with his message, but preferred to wait until the House was ready for business and send his message to both Houses at once.

Senator Dickey moved that the report of the committee be received and the committee discharged. Seconded by Senator Kalauokalani and carried.

At 10:45 o'clock Senator C. Brown moved to take a recess until 2 o'clock. Seconded by Senator Isenberg and carried.

### AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

Senator C. Brown moved that the Special Committee on Rules be allowed to report. Seconded by Senator Achi and carried.

Senator C. Brown reported for the Special Committee on Rules as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Special Committee, to whom was referred the matter of prescribing, preparing and presenting rules of procedure for the Senate, beg leave to report that they recommend the adoption of the rules of procedure of the Senate for the year 1901, with the amendments thereto, as hereinafter enumerated:

Rule Seven. This Committee recommends striking out the words "and stenographer," for the reason that it is not thought necessary to make that office a permanent one, and should the work in the Senate require such work it can always be procured by a vote.

Rule Eight. Strike out the words "the Chaplain shall be paid One Hundred Dollars for each session."

Rule Nine. Subdivision 11, after the words "result in a tie" strike out all the rest of the sub-division, and insert the words "or where a vote is taken by ayes or nays."

Rule Eleven. Subdivision 10, add at the end of that sub-division the following: "He shall post the order of business in writing for each day in a conspicuous place."

Rule Fourteen. After the words "to supervise" add the words "subject to the approval of the Committee of Accounts," and at the end of the rule, after the words "President of the Senate" strike out the balance of the rule.

Section 22. Strike out sub-divisions 4 and 5, and insert as Section 4 "Committee on Public Lands, Internal Improvements. Agriculture, etc." Make sub-division 6, 5; 7, 6; 8, 7; 9, 10; and strike out subdivisions 11, 12, 13, 14, 15 and 16.

Rule Twenty-three. After the word "Treasurer" insert "and other officers of the Territory," and after the word "revenue" insert the words "or otherwise."

Rule Twenty-four. Strike out the word "laws" and insert in its place the word "bills" and after the words "judicial proceedings" insert "or otherwise."

Rule Twenty-six. Strike out the title and insert "Committee on Public Lands, Internal Improvements, Agriculture, etc."

Strike out Rule 27 and title and add remaining part to Rule 26 and forming a part thereof.

Rules 28 and 29 make 27 and 28, and in Rule 28 add after the words "printed matter" the following words "under supervision of the Committee on Accounts."

Make rules 30, 31, 32 rules 29, 30 and 31.

Strike out rules 33, 34, 35, 36, 37 and 38.

Make rules 39 and 40, rules 32 and 33, and in rule 33 at the end thereof add the words "a time limit for debate may be fixed by vote."

Make rules 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52 and 53 to be rules 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45 and 46.

Make rule 54, rule 47 and after the words "more than twice" strike out the words "and not more than ten minutes each time on the same question without the leave of the Senate."

Rule 55 make rule 48, and strike out the word "majority" and insert the words "two-third vote."

Make rules 56, 57, 58 and 59 rules 49, 50, 51 and 52.

Rule 60 make rule 53, and insert at the end thereof the words "the first two readings may be by title."

Rule 61 make rule 54, and strike out figures 29 and insert 28.

Make rules 62, 63, 64, 65, 66, 67, 68, 69 and 70 rules 55, 56, 57, 58, 59, 60, 61, 62 and 63, and in rule 63 strike out the word "shall" and insert the word "may."

Make rules 71, 72, 73, 74, 75, 76, 77, 78, 79 and 80 rules 64, 65, 66, 67, 68, 69, 70, 71, 72 and 73, and in subdivision 2 of rule 73 strike out "on matters wherein information has been requested or for information."

Make rules 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104 and 105 rules 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89 and 90, and in rule 77 strike out LXXX and insert 73 and in rule 98 strike out the word "clerk" wherever it appears and insert in its place "President."

All of which is respectfully submitted,

CECIL BROWN,  
S. E. KAIUE,  
C. H. DICKEY.

The following changes were ordered: Rule 8—word "other" in line 4 struck out. New rule 53—insert at the end thereof the words "The first two readings may be by title" struck out and rule passed as in old rules.

Senator C. Brown moved the adoption of the whole report as changed, that amendments be translated and 50 copies ordered printed. Seconded by Senator Dickey and carried.

At 2:55 o'clock Senator Achi moved to adjourn until 10 o'clock tomorrow. Seconded by Senator Baldwin and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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THIRD DAY.

---

Friday, February 20th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain the roll was called, showing Senators Baldwin, Nakapaahu (reported sick), Paris and Woods absent.

President Crabbe here swore in the Assistant Secretary.

The Journal of the second day was read and, upon motion of Senator J. T. Brown, seconded by Senator Isenberg, approved as read.

Senator C. Brown, for the Special Committee on Rules, reported that the same had been ordered printed.

Senator C. Brown for the special committee to whom was referred the report of the Committee appointed at the Special Session of the Senate in relation to the expenses incurred reported as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Special Committee, to whom was referred the report of the Committee appointed at the Special Session of the Senate held in 1902 in relation to the expenses incurred by

reason of such session, as well as to provide funds to defray the expenses of the present session, beg leave to report:

That they have, in accordance with the instruction of this Honorable Body, prepared a Bill making appropriations for that purpose, which is introduced and made a part of this report, and have asked for the sum of Twenty-five Thousand Dollars, deeming that sum sufficient.

The total expense of the Special Session so far made known to this Committee is \$3,849.25, which includes the payment of \$200 to each member, but does not include the mileage.

The mileage will amount to the neighborhood of \$250. Taking the above figures as a basis, the expenses of the Special Session may amount to between \$4,100 or \$4,200; this will leave some \$20,000 or more with which to defray the expenses of this session of the Senate, which this Committee thinks is ample funds for such purpose.

Heretofore it has been the custom to appropriate money to defray the expenses of the Legislature in gross, that is, one sum to pay the expenses of both of its branches; by so doing it has almost been impossible for the public to know how much money has been spent by each branch. Your Committee have made an innovation in that respect, and the Bill as introduced makes only an appropriation specially for the Senate, and of which the House of Representatives will have no control.

The last Regular Session and the extra session spent of money actually appropriated \$92,000 and it is understood that there are yet a considerable number of bills outstanding and unpaid.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
H. P. BALDWIN.

Honolulu, February 20th, 1903.

Senator C. Brown here introduced a Bill entitled "An Act to appropriate money for the purpose of paying the expenses of the Special Session of the Senate of the Legislature of the Territory of Hawaii of the year 1902, and of defraying the expenses of the regular session of the Senate of the Legislature of the Territory of Hawaii of the year 1903, from the Public Treasury."

Senator McCandless moved that the report of the Committee be adopted. Seconded by Senator Paris and carried.

At 10:45 o'clock the Governor's message was received and read by the Secretary.

A MESSAGE  
TO THE LEGISLATURE OF THE TERRITORY OF HAWAII.  
HAWAII.  
1903.

The present fiscal period has been one of large needs and small means. Much has been done in the way of public improvements and emergency demands outside of the appropriation bills. Rights-of-way for road development have been acquired through the provisions of the laws authorizing land exchanges between the Government and private parties. Public improvements have been made by private parties under agreement with the Government in the confidence that the Legislature, recognizing the pressing need thereof, would make due appropriation therefor. Important emergency work has been done under a similar understanding.

There is still much to be done in the way of public improvements for lack of which there is prejudice to the public interests which will increase as time goes on unless action is taken. Much of this work cannot be paid for from the current revenues.

Estimates for expenditures from a fund to be obtained by a public loan will be submitted to you with recommendations for appropriate legislation on the subject.

The following is the cash statement of the first year of the present fiscal period,—July 1st, 1901, to June 30th, 1902, current account.

RECEIPTS.

Cash on hand July 1st, 1901.....	\$ 75,994 00
Tax Bureau . . . . .	\$1,658,107 09
Treasury Collections . . . . .	229,856 24
Public Instruction . . . . .	6,210 10
Harbor Master, Honolulu . . . . .	91,650 71
Public Works Office . . . . .	128,687 75
Other Realizations . . . . .	358,660 92
	<hr/> \$2,473,172 81

EXPENDITURES.

Expenditures, Total being war-	
rants issued by Auditing De-	
partment . . . . .	\$2,208,108 82
Warrants outstanding July 1, 1901	176,495 45
	<hr/> \$2,384,604 27

## SENATE JOURNAL.

Less Warrants outstanding June 30th, 1902 . . . . .	297,427 87
Balance being amounts of warrants paid by Treasury . . . . .	\$2,087,176 40
Cash Disbursements by Treasury other than by warrants . . . . .	174,860 08
Cash disbursements . . . . .	\$2,262,036 48
Cash on hand June 30th, 1902	\$ 287,131 30

## LOAN FUND ACCOUNT.

Cash on hand July 1, 1901 . . . . .	\$ 150 17
Outstanding warrants paid . . . . .	63 22
Cash on hand June 30th, 1902	86 95

From this statement the following appears:

Actual current revenues for the year ending June 30th, 1902 . . . . .	\$2,473,172 81
Actual current expenses, including outstanding warrants of the same year . . . . .	2,382,968 90

The following statement is made from the Treasurer's report for the last six months of 1902:

Revenues . . . . .	\$2,255,298 56
Cash on hand July 1, 1902 . . . . .	\$ 287,131 30
Interest on Bonds returned by United States Government . . . . .	140,000 00
Hawaiian Treasury Note . . . . .	105,000 00
Loan Fund balance transferred to current account . . . . .	86 95
	\$ 532,218 25
Actual current revenues . . . . .	\$1,723,080 31

For the first six months of the present year the probable actual current revenue as estimated by the Auditor will be \$606,430 and for the last six months of 1903, \$1,729,430, making a total estimated current revenue for the present year of \$2,335,860.

From these various statements it is safe to estimate our actual current revenues for the coming biennial period upon the basis of our present revenue laws, at not over \$5,000,000.

Although from this showing the expenditures for the first year of the present biennial period have been within the actual

current revenues, the revenues for the period will be insufficient for fully carrying out the appropriations for current expenses amounting in the aggregate to \$5,732,463.69. Estimating the actual current revenues for the last six months of the present biennial period at \$606,430, the revenues for the entire present biennial period will be \$4,802,683.12, which is \$929,780.57 less than the aggregate appropriations for current expenses.

The past year has not been a very prosperous one for the producers of the main staple of the Territory. Our general prosperity is so intimately connected with that of the sugar plantations that every opportunity of success not inconsistent with other and more paramount interests of the body politic, should be afforded them.

The recent depression, however, in sugar production, should forcibly remind us of the vital importance to the Territory of the development of productive enterprises on other lines. It is not to be doubted that the phenomenal profit of sugar production in these islands in the past, has had a powerfully repressive influence upon all other productive enterprises. The lessening of such profit will therefore have its compensation in the inevitable tendency toward a revival of such other enterprises; and the Government should stimulate such tendency whenever it may legitimately do so.

The ways are many in which this may be done. By promoting agricultural education and the work of experiment stations; by promoting the settlement of the public lands by men who will make their permanent homes on their farms and by making it possible for such farmers to get their products to good markets; and by giving every reasonable assistance to new operations that are still in the experimental stage, which may be done in one way by exempting them from taxes for a definite period.

The production, for instance, of fiber in the Territory has reached a promising and, it is to be hoped, a successful stage. It is important in the public interest that we should not be satisfied to ship away the raw material to be manufactured elsewhere, and the Government should encourage its home manufacture and other new manufacturing schemes, whenever private enterprise shall be ready to take the initiative.

In connection with the plans of the business men of the Territory for the exploitation of its resources and attractions, I would call your attention to the experience of the older Territories, where it has been found advisable to maintain a bureau for the information of tourists and settlers, and I would suggest that provision be made for such a bureau, or that assistance be given to the citizens in their conduct of such an undertaking.



The great World's Fair which is to be held at St. Louis next year will give an opportunity for disseminating information about the Territory which cannot well be surpassed. If the Territory takes up this matter, it is worth while to do it thoroughly. I would recommend a liberal appropriation for this object.

One of the most important duties of the Legislature in the present session will be for the consideration of legislation for the creation of counties, and provision for their government. The adjustment of the relation of such subordinate governments to the Government of the Territory in the matter of the collection and division of taxes, the powers of the respective governments and their officials, the police, public works, public instruction and the public health, require earnest study into present conditions and the probable effect upon them of contemplated changes.

Certain ideals of government requiring a municipality of officials and considerable elaborateness of detail might become a burden upon the small populations which must compose the majority of our future counties; on the other hand, an extreme of simplicity of county organization would probably result in governments entirely inadequate for the work which of necessity they ought to perform.

The question of the apportionment of county boundaries on the Island of Hawaii is a perplexing one. In the discussions of this subject there appear to be three alternative propositions; to form the districts of Kohala, Kona and Kau into one county, and the districts of Hamakua, Hilo and Puna into another; to form the districts of Kohala, Hamakua and Kona into one county and the districts of Hilo, Puna and Kau into another and to have the whole Island of Hawaii form but one county.

The first proposition would create two counties out of all proportion to each other in the matter of wealth, with the weaker county carrying a vastly heavier burden in the matter of the maintenance of roads in view of its smaller revenues. The second proposition improves the situation slightly as regards revenues and very much geographically. Setting apart the whole Island of Hawaii as one county has much to recommend it in the direction of economy.

There is still another suggestion on this subject, which may be worthy of consideration—the combining of Kohala, Hamakua, Kona and Kau as one county and Hilo and Puna as another. This arrangement would form two counties of nearly equal tax revenues and fairly convenient geographically.

It is most important that legislation on this subject should be disposed of early in the session, in order that there shall be time to consider the changes in appropriations and other legislation which such a measure, if enacted, will require.

In June, 1902, the Government gave public notice of its reservation for forest purposes of a tract of 74,000 acres lying be-

tween Maunakea and Hualalai on the Island of Hawaii and northwesterly to the ocean. This reservation is of old and recent lava formations and is partly covered with a thin growth of forest which is infested with large numbers of wild sheep. These are rapidly destroying the undergrowth and threaten the existence of the larger trees. A few wild cattle are also in the tract. Both sheep and cattle will be destroyed or removed elsewhere.

At the last meeting of the Sugar Planters' Association a committee was appointed by that body to confer with the Government on the subject of forestry. As a result of such conferences measures were mutually adopted to establish lines of forest limits on all the larger islands of the Territory. Agents have been appointed by the Government for this purpose and the work has been begun. A very earnest feeling among sugar planters and other land holders upon this subject is evident. The Executive desires that the Government shall act with these men promptly and effectively and to that end I recommend the enactment of legislation that shall promote measures for the protection and extension of our forests more fully than is possible under our present laws, and the appropriation of public moneys to assist in carrying out such policy.

In July, August and September of 1901, extensive and destructive forest fires occurred in the District of Hamakua on the Island of Hawaii. A long drought had exposed that locality to such calamity. The area burned over consisting of public and private lands is estimated at about 30,000 acres. The Government had no funds with which to check these fires, but effected an arrangement with the neighboring planters by which a number of their laborers were available for this purpose. With this force and with the assistance of the early fall rains the fires were, after a long struggle, gradually extinguished. Appropriations should be made for the prompt payment of the expenses incurred, with interest.

There is a prospect that the Forestry Bureau of the United States will furnish the Territory with an expert forester, who will organize a forestry bureau here. Reasonable appropriations for the pay and expenses of such an officer should be made.

It is important for forest protection from insects that the destruction of certain forest birds should be prevented; to this end I would recommend the enactment of a law for the protection of all forest birds and all birds not game birds.

The Commissioner of Public Lands has been somewhat crippled in the work of his office, especially in the proceedings for land settlement, through insufficient appropriations. The moderate increase placed in the estimates will, if adopted, materially strengthen this important department.

In view of the importance of the Territory of having American farmers settle on our public lands, I recommend that an

additional item be placed to the credit of this department in the appropriation bill, for disseminating information on the Mainland in regard to lands that may, from time to time, be opened for settlement.

The Special Agent in charge of the Hawaii Experiment Station has suggested that the Territorial Government assist the station according to the following schedule:

Permanent fireproof library, office and laboratory building . . . . .	\$ 3,000 00
Equipment of Chemical laboratory . . . . .	1,500 00
Dairy herd, feeding cattle, stables, etc. . . . .	2,000 00
Salary of one chemist . . . . .	2,000 00
Salary of one horticulturist . . . . .	1,500 00
Residence for chemist . . . . .	1,500 00
Labor and supplies . . . . .	3,500 00
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Total . . . . .	\$ 12,000 00

I have placed the items of equipment of chemical laboratory and chemist's salary in the estimate for current expenses, and shall recommend the items for library, office and laboratory building and residence for chemist in the loan estimates. In view of the limited income of the Territory I have not recommended the other items, yet I feel that the assistance asked for in the third item, i. e. dairy herd, etc., \$2,000, would, if granted, result in such benefit to the dairy interests of the Territory, that I recommend the same to your consideration.

The project of establishing an agricultural college in the Territory has interested many citizens since the inauguration of the Territory. It is understood that the Federal Government provides a substantial subsidy for such colleges in the Territories, which, however, cannot be used for buildings. This leaves to the Territory the work of construction and relieves it substantially, at any rate, for the period of outlay for necessary buildings and possibly land for the inception of the enterprise, from further expenditure.

I believe it is important for the Territory to have as immediately as possible the opportunities of education and the stimulus to a varied agricultural development which such an institution would confer. I propose to refer again to this subject in connection with the loan estimates.

The report of the Superintendent of Public Works calls for extensive appropriations for many much needed public improvements, but much larger in the aggregate than can be met under our present limited resources. A large proportion of my recommendations in this department will be given in the loan estimates.

The work of selecting the objects of expenditure which are most essential, and discarding those which can be put off with the least injury to the public welfare, requires careful investigation and a deep patriotic sentiment which will not sacrifice the interests of the whole public to those of a part of it.

The report of the Superintendent of Public Instruction calls for a large increase of appropriations for teachers' salaries and building school houses. The population of school children in the Territory is increasing more rapidly than the Government has been able to build school houses. New school houses require an increase in the teaching force. I believe the recommendations referred to are as conservative as they should be and should be adopted. The estimates for new school buildings will be reported to you in the loan estimates.

I submit for your consideration the question of introducing kindergarten instruction into our school system. There is no doubt that with children whose race language is other than English and those whose surroundings are not civilizing, a kindergarten course is a very valuable preparation for the lower grades of our system. The Territory, however, at the present time is unable to take up such an undertaking upon a general scale for financial reasons.

I would recommend that provision be made for establishing a kindergarten in connection with the Normal School, thus giving normal pupils an opportunity of acquiring the principles of kindergarten instruction. In this way a teaching force will be acquired which may, in the future, make the introduction of such instruction into the public schools a practical scheme.

I would call your attention to the sad case of a number of children who are ineligible for admission into the public schools on account of their inability to pass the required medical examinations. Some provision should be made for the education of these children. As their number is small in any one locality, it may be impracticable to provide instruction for them at their homes. There does not seem to be any insurmountable objection to legislation that would gather them at some place or places according to their numbers, and provide them with instruction and careful medical attendance as well as food, clothing and lodging. Such a plan would be in their own and public interests.

I have recommended in the estimates an increase of appropriation for the Queen's Hospital. This institution now maintains a free ward for the poor of all nationalities, beside furnishing free treatment of Government patients. Public patronage is constantly increasing.

I feel justified in expressing my conviction that the disease of leprosy is on the decline in the Territory from the following showing, derived from the reports of the Board of Health:

The settlement on Molokai was established in 1886 during which year 141 patients were admitted. The policy of segregation was loosely carried out for a number of years after the establishment of the settlement. During the first seven years the patients admitted averaged 114 per annum, and the largest number admitted in any one year was 183. In 1873 a stricter enforcement of the law was carried out, and 487 patients were sent to the settlement. Thereafter until 1887 the law of segregation was only partially enforced and the number of admissions during those years averaged 141 per annum, and the largest number admitted in any one year was 301.

Since 1887 the law has been vigilantly carried out. The number of admissions in 1888 was 579; in 1889, 308; and in 1890, 202; and from that year to the present time the admissions have decreased in number, though not regularly from year to year; but taking the twelve years beginning with 1890 and ending with 1901, in sections of three years each we find the number of admissions to be as follows:

1890 to 1892 inclusive .....	454
1893 to 1895. " .....	445
1896 to 1898 " .....	350
1899 to 1901 " .....	254

From these figures it would appear that with strict segregation the disease has steadily diminished, while, without strict segregation, it shows a tendency to spread.

The following table gives the average number of patients at the settlement for three periods of ten years each, with the average death rate for the same period:

	Average Number of Patients.	Average Number of Deaths.	Death Rate.
1871 to 1880 inclusive .....	648	135.4	20.9
1881 to 1890 " .....	823.5	144	17.5
1891 to 1900 " .....	1,096	134.5	12.3

These figures show a marked decrease of the death rate for the last decade, which is undoubtedly largely due to a general improvement of conditions at the settlement pertaining to comforts of life and care of the sick.

The large average of patients from 1891 to 1900 is due to the more vigorous execution of the law of segregation since 1887 and to the diminishing death rate.

The number of patients at the settlement at the end of 1901 was 942, and on the 30th of June, 1902, 915.

The British Government is still pressing for payment of the claims of several of its citizens based upon their treatment by the Republic of Hawaii under martial law in 1895. Correspondence in this matter is with the Secretary of State, who has expressed a desire that the Government of the Territory should create a commission to finally determine these questions.

These claims were first presented by the British Government against the Republic of Hawaii, which, recognizing the justice of one of these claims—that of a person who had been subjected to improper treatment as a witness, paid it, but refused all of the rest. Negotiations for their reference to arbitration were broken off by the annexation of the Hawaiian Islands to the United States.

There are several other claims by citizens of other powers whose attitude in relation thereto is similar to that of the British Government.

I recommend that legislation be enacted by the Legislature providing for a commission of three persons who shall have authority to hear and determine all political claims of citizens of foreign powers arising under the status of martial law in the year 1895; and who shall accept as evidence the affidavits already filed in such cases; the decisions of a majority of such commission to be final and obligatory on the parties.

I further recommend that appropriations for the pay and expenses of such commission be placed in the proper appropriation bills.

Pursuant to the Fire Claims Act of the last regular session of the Legislature, \$140,000.00 received from the Federal Government for interest advanced on bonds payable by the Federal Government with additional funds from the Treasury to bring the payments up to 10 per cent. has been paid to those holding awards from the Fire Claims Commission. Under the law recently enacted by Congress appropriating one million dollars toward the payment of such awards and authorizing the Territorial Government to borrow enough money to pay the balance, it is probable that this obligation will be settled without further delay.

I invite your attention to the Torrens system of registration of instruments, a law to substitute such system for that at present in use, having been prepared for submission to you. With the prospect of the early establishment of county government and the creation of registration offices in each county the time is most opportune for the introduction of this improved and well-tested system of registration.

I recommend legislation for the following objects:

Giving local option in questions relating to the sale of liquors, to county districts and city precincts, and qualifying women as voters on such questions, who are citizens of the Territory of Hawaii.

Providing limited liquor licenses for bona fide hotels at lower rates than are required for saloon licenses; such licenses to confer the right to sell liquors to guests only, and without the right of conducting a saloon or bar.

Amendment to the law against lotteries, whereby the prosecution may not be required to prove that a paper produced as a lottery ticket depends as such upon the event of any lottery.

Amendment to the law against gambling, whereby gambling shall be punished by both fine and imprisonment.

Amendment to the law against vagrancy, whereby the limit of punishment shall be increased to one year.

Restricting the sale and use of opium, and repealing the existing laws relating to opium.

Carrying out the recommendations of the report of the Chief Justice in relation to the reduction of penalties in order to bring certain offences under the jurisdiction of District Magistrates.

The inspection, disinfecting and destruction of plants, vegetables, fruits and seeds brought to the Territory.

Protection of forest and other birds.

Election of Delegate to Congress.

Provisions for the appointment of Commissioners of Deeds for Hawaii, in other parts of the world.

Providing a salary for the President of the Board of Health and requiring him to give his whole time to the duties of the office.

Requiring building permits within certain limits in Honolulu and Hilo to be passed upon by an officer of the Board of Health as to the sanitary condition of the ground on which it is proposed to erect the building, and as to the sanitary character of the building plans.

Provision for the selection of grand and petit juries.

Provisions for appeals from the District Magistrates at Kalaupapa and Kalawao. Such appeals except upon points of law should be tried in the settlement.

Amendment of the pure food law, increasing its stringency.

Creating building fire limits in the town of Hilo, and extending the building fire limits of Honolulu.

Repealing part 4, chapter 95, relating to forest roads.

Revising the military law to bring it more in touch with Federal military legislation.

Creating a statistical bureau under the Secretary of the Territory.

Provision for the protection of Hawaiian food fish.

To authorize the Governor to execute a land patent to J. Mo-kuakai, for two homestead lots, the law providing for but one except as to wet land.

I would call your attention to the provision for the reapportionment of the membership of the Legislature, contained in section 55 of the Organic Act, which is as follows:

"The Legislature at its first regular session after the census enumeration shall be ascertained, and from time to time thereafter, shall reapportion the membership in the Senate and House of Representatives among the Senatorial and Representative districts on the basis of the population in each of said districts who are citizens of the Territory."

The results of the census of the year 1900, so far as they are published, are in the Governor's office and will be available for the use of the Committees of the Senate and House.

Estimates for appropriations for emergency demands and unpaid bills as well as for loan appropriations will be submitted shortly.

During the past year Mr. W. H. Wright, then Treasurer, committed a serious defalcation of a part of the Chinese fund and escaped from the Territory to the mainland. A corresponding amount has been placed in the estimates for return to the Chinese fund.

Subsequent to this Mr. H. C. Austin was suspended from the office of Auditor for conduct inconsistent with the position, and Mr. J. H. Boyd was suspended from the office of the Superintendent of Public Works for irregularities in his accounts. Before this occurred and during Mr. Boyd's absence from the Territory, serious defalcations of public moneys in the Public Works Office were discovered, and Mr. B. H. Wright, the Chief Clerk, was put under arrest. After Mr. Boyd's suspension, he also was placed under arrest and both cases are now pending before the First Circuit Court.

Both Mr. Austin and Mr. Boyd refusing to accept my action in suspending them and having applied to the courts to be reinstated in their respective offices, I deemed it for the public interests to call the Senate together to act upon my further recommendation for their removal from office. An extended report of this Special Session of the Senate and their action approving of the recommendations of the executive in these cases has been published and will be laid before you.

Mr. J. H. Fisher was thereupon appointed to the office of Auditor, Mr. Henry E. Cooper to that of Superintendent of Public Works, and Mr. A. N. Kepoikai to that of Treasurer.

Information on any subject not herein given and within the executive province will, if desired, be supplied. I commend the reports of the departments to your consideration.

In conclusion I wish you speed and success in your responsible duties, and that the results may be for the happiness and prosperity of the people of the Territory.

SANFORD B. DOLE.

Executive Chamber, February 18th, 1903.



## ESTIMATES FOR APPROPRIATIONS, 1903.

To the Legislature of the Territory of Hawaii:

I herewith submit to your honorable body estimates for appropriations for the succeeding biennial period.

SANFORD B. DOLE.

Executive Chamber, February 18th, 1903.

## SALARIES AND PAYROLLS.

## PERMANENT SETTLEMENTS.

Mrs. Emma Barnard . . . . .	\$ 600 00	
Mrs. Kamakani Simeona . . . . .	400 00	
Mrs. Kaulua . . . . .	400 00	
Mrs. Mary R. Stolz . . . . .	720 00	
Mrs. Paahao . . . . .	400 00	
Sergeant H. E. Petersen . . . . .	900 00	
	<hr/>	\$ 3,420 00

## OFFICE OF THE SECRETARY OF THE TERRITORY.

Salary of Chief Clerk . . . . .	\$ 3,600 00	
Assistant Clerk and Stenographer . . . . .	2,400 00	
Electoral Registrar . . . . .	1,200 00	
Messenger and Janitor . . . . .	1,200 00	
	<hr/>	\$ 8,400 00

## JUDICIARY DEPARTMENT.

Salary of Clerk Judiciary Department . . . . .	\$ 5,400 00
Salary of Stenographer, Judiciary Department (to be appointed by Supreme Court) . . . . .	3,600 00
Salary of Supreme Court bailiff . . . . .	2,400 00
Pay of Messenger and Librarian . . . . .	1,440 00
Pay of Messengers, 2 at \$1,200 . . . . .	2,400 00
Pay of Interpreters in all courts not specially provided for . . . . .	3,500 00
First Circuit—	
Salary of First Deputy Clerk, First Circuit, to be appointed by the Chief Justice . . . . .	3,600 00
Salary of Second Deputy Clerk, First Circuit, to be appointed by the Chief Justice . . . . .	3,200 00
Salary of Third Deputy Clerk, First Circuit, to be appointed by the First Judge, First Circuit . . . . .	2,400 00

Salary of Fourth Deputy Clerk, to be appointed by Second Judge, First Circuit . . . . .	2,400 00
Salary of Fifth Deputy Clerk, to be appointed by Third Judge, First Circuit . . . . .	2,400 00
Salary of Stenographers . . . . .	9,600 00
Salary of Hawaiian Interpreters..	7,200 00
Salary of Chinese Interpreter and Translator . . . . .	3,600 00
Salary of Japanese Interpreter and Translator . . . . .	3,600 00
Salary of Portuguese Interpreter and Translator . . . . .	2,400 00
Salary of Bailiffs, First Circuit Court, 2 at \$2,040 . . . . .	4,080 00
Salary of District Magistrate, Honolulu, 1st Class . . . . .	5,000 00
Salary of Clerk and Interpreter, Honolulu District Court . . . . .	2,400 00
Pay of Assistant to Clerk, Honolulu District Court . . . . .	600 00
Salary of Second District Magistrate, Honolulu, 2nd Class A....	2,760 00
Salary of Second Clerk and Interpreter, Honolulu District Court..	1,800 00
Salary of District Magistrate, Ewa, Oahu, Second Class B . . . . .	2,400 00
Salary of District Magistrate, Koolauloa, 6th Class . . . . .	1,000 00
Salary of District Magistrate, Koolaupoko, 5th Class . . . . .	1,200 00
Salary of District Magistrate, Wai- alua, 5th Class . . . . .	1,200 00
Salary of District Magistrate, Wai- anae, 6th Class . . . . .	1,000 00
Second Circuit—	
Salary of Clerk, Second Circuit...	1,800 00
Salary of District Magistrate, La- haina, Second Class B . . . . .	2,400 00
Salary of District Magistrate, Wai- luku, 2nd Class . . . . .	2,880 00
Salary of District Magistrate, Ma- kawao, 3rd Class . . . . .	2,200 00
Salary of District Magistrate, Ha- na, 4th Class . . . . .	1,680 00
Salary of District Magistrate, Kipa- bulu, 7th Class . . . . .	800 00

Salary of District Magistrate, Honouaula, 7th Class . . . . .	800 00
Salary of District Magistrate, Molokai, 5th Class . . . . .	1,200 00
Salary of District Magistrate, Lanai, 8th Class . . . . .	600 00
Salary of District Magistrate, Kalaupapa, 8th Class . . . . .	600 00
Third Circuit—	
Salary of Clerk, Third Circuit . . . . .	1,200 00
Salary of District Magistrate, North Kohala, 3rd Class . . . . .	2,200 00
Salary of District Magistrate, South Kohala, 6th Class . . . . .	1,000 00
Salary of District Magistrate, North Kona, 4th Class . . . . .	1,680 00
Salary of District Magistrate, South Kona, 4th Class . . . . .	1,680 00
Salary of District Magistrate, East and West Kau, 4th Class A . . . . .	1,800 00
Fourth Circuit—	
Salary of Clerk, Fourth Circuit . . . . .	3,000 00
Salary of Assistant Clerk and Messenger, Fourth Circuit . . . . .	1,200 00
Salary of Stenographer . . . . .	2,400 00
Salary of Bailiff, Fourth Circuit . . . . .	2,040 00
Salary of District Magistrate South Hilo, 1st Class B . . . . .	3,600 00
Salary of Clerk and Interpreter, District Court, South Hilo . . . . .	1,200 00
Salary of District Magistrate, North Hilo, 7th Class . . . . .	800 00
Salary of District Magistrate, Hamakua, 3rd Class . . . . .	2,200 00
Salary of District Magistrate, Puna, 6th Class . . . . .	1,000 00
Fifth Circuit—	
Salary of Clerk, Fifth Circuit . . . . .	1,800 00
Salary of District Magistrate, Lihue, 3rd Class . . . . .	2,200 00
Salary of District Magistrate, Koloa, 5th Class . . . . .	1,200 00
Salary of District Magistrate, Waimea, 3rd Class . . . . .	2,200 00
Salary of District Magistrate, Kawaihau, 6th Class . . . . .	1,000 00
Salary of District Magistrate, Hanalei, 6th Class . . . . .	1,000 00
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	\$ 133,940 00

## DEPARTMENT OF THE ATTORNEY GENERAL.

Salary of Attorney General .....	\$ 9,000 00
Salary of Deputy Attorney General .....	6,000 00
Salary of Assistant to Attorney General .....	4,800 00
Salary of Clerk, Attorney General .....	3,600 00
Salary of Stenographer .....	3,000 00
Salary of High Sheriff .....	6,000 00
Salary of Clerk to High Sheriff....	3,600 00
Salary of Deputy High Sheriff ....	4,800 00
Salary of Assistant Deputy High Sheriff .....	3,600 00
Salary of Jailor, Oahu Prison .....	3,600 00
Salary of Sheriff of Hawaii .....	4,800 00
Salary of Sheriff of Maui .....	4,500 00
Salary of Sheriff of Kauai .....	4,200 00
Salary of Clerk to Sheriff of Hawaii .....	2,400 00
Salary of Clerk to Sheriff of Maui..	2,400 00
Salary of Clerk to Sheriff of Kauai .....	1,200 00
Salary of Deputy Sheriff of Hawaii .....	3,600 00
Salary of Deputy Sheriff of North Kohala .....	2,400 00
Salary of Deputy Sheriff of South Kohala .....	1,800 00
Salary of Deputy Sheriff of Hamakua .....	2,400 00
Salary of Deputy Sheriff of North Hilo .....	1,680 00
Salary of Deputy Sheriff of North Kona .....	2,400 00
Salary of Deputy Sheriff, South Kona .....	2,000 00
Salary of Deputy Sheriff of Kau... ..	2,400 00
Salary of Deputy Sheriff of Puna..	1,680 00
Pay of Police of Hawaii .....	69,120 00
Salary of Deputy Sheriff of Maui..	3,000 00
Salary of Deputy Sheriff of Makawao .....	2,400 00
Salary of Deputy Sheriff of Lahaina .....	2,400 00
Salary of Deputy Sheriff of Hana...	1,680 00
Salary of Deputy Sheriff of Kipahulu .....	1,080 00
Salary of Deputy Sheriff of Molokai .....	1,920 00
Pay of Police of Maui .....	43,800 00
Salary of Deputy Sheriff of Kauai .....	3,000 00

Salary of Deputy Sheriff of Kawai- hau . . . . .	1,680 00
Salary of Deputy Sheriff of Hanalei	1,680 00
Salary of Deputy Sheriff of Koloa..	1,680 00
Salary of Deputy Sheriff of Wal- mea . . . . .	1,680 00
Pay of Police of Kauai . . . . .	26,400 00
Salary of Deputy Sheriff, Koolau- poko . . . . .	1,800 00
Salary of Deputy Sheriff, Koolau- loa . . . . .	1,800 00
Salary of Deputy Sheriff, Waialua	2,400 00
Salary of Deputy Sheriff, Waianae	1,200 00
Salary of Deputy Sheriff, Ewa....	1,800 00
Pay of Police of Oahu . . . . .	174,360 00
Pay of Jailors and Guards of Pris- oners . . . . .	59,880 00
Pay of Lunas . . . . .	18,000 00
Detective Service . . . . .	8,400 00
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	\$ 519,020 00

## TREASURY DEPARTMENT.

Office of the Treasurer—	
Salary of Treasurer . . . . .	\$ 9,000 00
Salary of Registrar of Public Ac- counts . . . . .	5,400 00
Salary of Bookkeeper . . . . .	3,600 00
Salary of License Inspector . . . . .	3,600 00
Salary of License Clerk . . . . .	3,600 00
Salary of Assistant License and Corporation Clerk . . . . .	2,400 00
Salary of Recording Clerk and Mes- senger . . . . .	1,800 00
Salary of Stenographer and Type- writer . . . . .	1,800 00
Tax Bureau—	
Salary of Tax Assessor, Oahu.....	6,000 00
Salary of Tax Assessor, Hawaii....	5,000 00
Salary of Tax Assessor, Maui ....	4,600 00
Salary of Tax Assessor, Kauai ....	4,000 00
Salaries and Commissions Deputy Assessors and Collectors . . . . .	125,000 00
Legal Assistance in all Courts ....	4,000 00
Bureau of Conveyances—	
Salary of Registrar of Conveyances	5,400 00
Salary of Deputy Registrar of Con- veyances . . . . .	3,600 00
Salaries of Indexer, Examiner, Copyists, Book Clerk and Janitor	15,720 00
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	\$ 204,520 00

## DEPARTMENT OF PUBLIC WORKS.

Salary of Superintendent of Public Works . . . . .	\$ 9,000 00
Salary of Assistant Superintendent . . . . .	6,000 00
Salary of Chief Clerk and Clerk of Market . . . . .	5,400 00
Salary of 1st Assistant Clerk and Bookkeeper . . . . .	4,800 00
Salary of 2nd Assistant Clerk and Land Exchange, etc. . . . .	3,600 00
Salary of 3rd Assistant Clerk and Copyist . . . . .	3,000 00
Salary of 4th Assistant Clerk and Inspector of Weights and Measures . . . . .	2,400 00
Salary of Stenographer, Typewriter, etc. . . . .	3,000 00
Salary of Agent Public Works, Hilo . . . . .	1,200 00
Salary of 2 Messengers . . . . .	2,400 00
Salary of Road Engineer . . . . .	4,800 00
Salary of Draughtsmen, Transmitters, Chainmen, etc. . . . .	9,000 00
(Office of Assistant Superintendent.)	
Salary of Clerk to Assistant Superintendent . . . . .	3,000 00
Salary of Copyist to Asst. Superintendent . . . . .	1,800 00
Salary of Stenographer to Assistant Superintendent . . . . .	1,800 00
Salary of Superintendent of Sewers . . . . .	3,000 00
Sewer Pay Roll . . . . .	7,520 00
Salary of Building Inspector . . . . .	3,600 00
Salary of Road Supervisor, Honolulu . . . . .	4,800 00
Pay Roll Roads and Bridges, Honolulu . . . . .	43,746 00
Removing Garbage and Operating Excavator Pay Roll . . . . .	72,480 00
Pay Roll Garbage Crematory . . . . .	7,200 00
Salary of Electrical Inspector . . . . .	4,800 00
2 Cantoneers Road over Nuuanu Pali, \$720 each . . . . .	1,440 00
2 Cantoneers, Schaefer's to Nuuanu Pali, \$720 each . . . . .	1,440 00
Pay Roll Waiakamilo Camp . . . . .	3,360 00
Salary of Harbor Master . . . . .	6,000 00
Salary of 2 Assistant Harbor Masters, 1 at \$150, 1 at \$100. . . . .	6,000 00

Pay Roll Steam Tug for one year or until Garbage Crematory is in- stalled . . . . .	13,200 00
Regular Pay Roll Electric Light . . .	15,000 00
Pay of Pound Master, Honolulu . . .	800 00
Salary of Veterinary Surgeon . . . .	1,200 00
Pay of Light House Keepers . . . . .	9,459 00
Pay of Keepers of Wharves and Buoys, Lahaina . . . . .	240 00
Pay of Keepers of Wharves and Buoys, Hilo . . . . .	1,200 00
Pay of Gunpowder and Kerosene Oil Keeper, Honolulu . . . . .	3,000 00
Pay of Gunpowder and Kerosene Oil Keeper, Hilo . . . . .	1,200 00
Pay of Market Keeper, Honolulu . . .	1,200 00
Pay of Assistant Market Keeper, Honolulu . . . . .	720 00
Pay of Market Keeper, Hilo . . . . .	720 00
Bureau of Water Works—	
Salary of Supt. of Hon. Water Works . . . . .	6,000 00
Salary of Clerk . . . . .	3,600 00
Salary of 1st Assistant Clerk . . . .	2,400 00
Salary of Assistant Clerk . . . . .	1,800 00
Pay of Reservoir Keepers . . . . .	2,640 00
Pay of 2 Tappers and Assistant . . .	4,560 00
Pay of Tap Inspector . . . . .	2,160 00
Pay of Shipping Tenders, 1 at \$75, and 1 at \$50 . . . . .	3,000 00
Pay of Engineers . . . . .	9,000 00
Pay of Firemen . . . . .	5,400 00
Salary of Supt. of Wailuku and Ka- hului Water Works . . . . .	1,200 00
Salary of Supt. of Hilo Water Works	1,800 00
Salary of Supt. of Laupahoehoe Wa- ter Works . . . . .	40 00
Salary of Supt. of Koloa Water Works . . . . .	50 00
Salary of Supt. of Lahaina Water Works . . . . .	1,800 00
Salary of Supt. of Waiimea, Kauai, Water Works . . . . .	420 00
Public Grounds—	
Pay Roll Government Buildings . . .	7,200 00
Pay Roll Aala Park . . . . .	2,040 00
Pay Roll Thomas and Emma Squares . . . . .	3,840 00
Salaries of Guards for Public Build- ings . . . . .	4,800 00

Salary of Keeper of Mausoleum and Grounds . . . . .	780 00
Salary of Janitor and Keeper Capitol and Judiciary Grounds and Buildings . . . . .	2,400 00
Salary of Assistant Janitors, Government Buildings . . . . .	1,920 00
Fire Departments—	
Regular Pay Roll, Honolulu Fire Dept. . . . .	123,540 00
(Hosemen, Stokers and Pipemen increased from \$50 to \$55 per month and Watchboys from \$20 to \$25 per month.)	
Pay Roll Hilo Fire Dept. . . . .	3,600 00
Pilots' Office—	
Salary four Pilots . . . . .	19,200 00
Pay Roll Pilot Boats . . . . .	11,520 00
Salary of Pilots' Watchman, Diamond Head . . . . .	1,800 00
Salary of Pilots' Watchman, Pilots' Office . . . . .	1,440 00
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	\$ 504,475 00

## DEPARTMENT OF PUBLIC INSTRUCTION.

Salary of Superintendent . . . . .	\$ 9,000 00
Salary of three Normal Inspectors . . . . .	16,200 00
Salary of Secretary . . . . .	4,800 00
Salary of Assistant Secretary and School Agent for Honolulu . . . . .	3,600 00
Salary of Stenographer and Book Clerk . . . . .	1,800 00
Pay Roll Support of Schools . . . . .	650,000 00
Salaries of School Agents . . . . .	6,000 00
Salary of Teacher of Lace-making . . . . .	2,000 00
Salary of Superintendent, Boys' Industrial School . . . . .	3,600 00
Salary of 2 Teachers, Boys' Industrial School . . . . .	3,600 00
Salary of Matron, Girls' Industrial School . . . . .	3,600 00
Salary of Teacher, Girls' Industrial School . . . . .	1,800 00
Pay of Guards and Assistants, Boys' Industrial School . . . . .	4,800 00
Pay of Guards and Assistants, Girls' Industrial School . . . . .	2,400 00
Pay of Mechanical Instructor, Boys' Industrial School . . . . .	2,400 00
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	\$ 715,600 00



## DEPARTMENT OF PUBLIC LANDS.

Salary of Commissioner . . . . .	\$ 7,200 00
Salary of Secretary and Sub-Agent 5th Land District . . . . .	4,200 00
Salary of Clerk and Bookkeeper . . .	2,400 00
Salary of Patent Clerk . . . . .	2,400 00
Salary of Typewriter and Copyist . . .	1,200 00
Salary of Messenger of Land Office and Registrar of Conveyances . . .	1,800 00
Salary of Sub-Agent, 1st Land Dis- trict . . . . .	2,400 00
Salary of Sub-Agent 2nd Land Dis- trict . . . . .	1,800 00
Salary of Sub-Agent 3rd Land Dis- trict . . . . .	960 00
Salary of Sub-Agent 4th Land Dis- trict . . . . .	1,200 00
Salary of Sub-Agent 6th Land Dis- trict . . . . .	720 00
Salary of Ranger 1st Land Dis- trict . . . . .	1,200 00
Salary Clerk 1st Land District . . .	960 00
Salary of Ranger 2nd Land District . .	720 00
Salary of Ranger 3rd Land District (Kau, \$480, N. & S. Kona, \$720) . .	1,200 00
Salary of Ranger 4th Land District . .	720 00
Salary of Ranger 5th Land District . .	720 00
Salary of Ranger 6th Land District . .	480 00
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	\$ 32,280 00

## COMMISSION OF AGRICULTURE AND FORESTRY.

Pay of Commissioner . . . . .	\$ 6,000 00
Pay of Entomologist . . . . .	4,000 00
Pay of Quarantine Officer and Ento- mologist . . . . .	4,800 00
Pay of Forester, Nuuanu . . . . .	3,000 00
Pay of Gardener . . . . .	2,040 00
Pay of Stenographer and Typewrit- er . . . . .	1,800 00
Pay of Clerk and Messenger . . . . .	960 00
Pay of Expert Forester . . . . .	4,800 00
Pay of Wagon Driver . . . . .	528 00
Pay of Plant Inspector, Hilo . . . . .	1,200 00
Pay of Plant Inspector, Mahukona . .	600 00
Pay of Plant Inspector, Kahului . .	600 00
Pay of 15 Laborers, Nuuanu Forest . .	6,480 00
Pay of Laborers in Nursery (4) . . .	1,728 00
Federal Experiment Station— Chemist . . . . .	2,000 00
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	\$ 40,536 00

## SURVEY DEPARTMENT.

Salary of Surveyor . . . . .	\$ 6,000 00	
Salary of Chief Assistant . . . . .	5,000 00	
Salary of First Assistant . . . . .	4,800 00	
Salary of Second Assistant . . . . .	3,600 00	
Salary of Meteorologist . . . . .	3,000 00	
Salary of Messenger . . . . .	1,200 00	
	<hr/>	\$ 23,000 00

## BOARD OF HEALTH.

Salary of Executive Officer . . . . .	\$ 6,000 00	
Salary of Secretary . . . . .	4,200 00	
Salary of Registrar General . . . . .	3,600 00	
Salary of Stenographer . . . . .	2,400 00	
Salary of Janitor and Messenger . . . . .	1,200 00	
Salaries of Clerks . . . . .	4,800 00	
Inspector of Buildings, Plumbing and Sewers . . . . .	4,800 00	
Assistant to Inspector of Buildings, Plumbing and Sewers . . . . .	3,600 00	
Chief Sanitary Officer . . . . .	3,600 00	
Sanitary Inspectors, Honolulu . . . . .	28,800 00	
Sanitary Inspectors, other than Ho- nolulu . . . . .	5,760 00	
Food Commissioner and Analyst . . . . .	4,200 00	
Milk and Poi Inspector, Honolulu . . . . .	1,800 00	
Meat Inspector and Veterinary . . . . .	4,200 00	
Fish Inspector, Honolulu . . . . .	1,800 00	
Assistant Fish Inspector, Honolulu . . . . .	1,200 00	
Fish and Poi Inspector and Assist- ant, Hilo . . . . .	1,200 00	
Inspector of Cemeteries, Honolulu . . . . .	2,400 00	
Bacteriologist and Pathologist . . . . .	4,200 00	
Morgue Attendant . . . . .	1,800 00	
Government Physicians . . . . .	40,560 00	
Segregation of Lepers, Pay Roll . . . . .	63,480 00	
Maintenance of Hospitals . . . . .	6,000 00	
Non-leprous Female Children of Lepers . . . . .	4,200 00	
Non-leprous Male Children of Lep- ers . . . . .	4,200 00	
Superintendent and Assistants, In- sane Asylum . . . . .	32,000 00	
	<hr/>	\$ 242,000 00

## SENATE JOURNAL.

## MILITARY.

Regimental Allowance for Companies, Drum Corps and Band Signal Corps, Ambulance and Hospital Corps . . . . .	\$ 14,400 00	
Headquarters' Clerk and Acting Quartermaster . . . . .	2,400 00	
Armorer . . . . .	2,400 00	
Janitor . . . . .	1,080 00	
Range Keeper . . . . .	600 00	
	<hr/>	\$ 20,880 00

## BAND.

Salary of 30 Bandsmen . . . . .	\$ 30,840 00	
Salary of Singers . . . . .	2,400 00	
Salary of Bandmaster . . . . .	5,640 00	
	<hr/>	\$ 38,880 00

## AUDITING DEPARTMENT.

Auditor, Salary of . . . . .	\$ 9,000 00	
Deputy Auditor, Salary of . . . . .	6,000 00	
Clerical Assistance . . . . .	15,000 00	
	<hr/>	\$ 30,000 00

## CURRENT EXPENSES.

## OFFICE OF THE SECRETARY OF THE TERRITORY.

Incidentals . . . . .	\$ 2,400 00	
State Entertainments and Ceremonies . . . . .	3,000 00	
Preservation of Archives . . . . .	3,000 00	
Expenses of Election . . . . .	20,000 00	
Printing and Advertising . . . . .	1,000 00	
	<hr/>	\$ 29,400 00

## JUDICIARY DEPARTMENT.

Expenses Judiciary Department . . .	\$ 2,000 00
Expenses Supreme Court . . . . .	1,500 00
Expenses First Circuit Court . . . . .	35,000 00
Expenses Second Circuit Court . . . . .	8,000 00
Expenses Third Circuit Court . . . . .	5,000 00
Expenses Fourth Circuit Court . . . . .	10,000 00
Expenses Fifth Circuit Court . . . . .	5,000 00

(Not more than one-fourth, one-half, or three-fourths of any of the foregoing appropriations for expenses of Courts shall be drawn before the expiration of one-fourth, one-half or three-fourths respectively of the period for which such appropriations are made.)

Purchase of Law Books, Supreme Court . . . . .	1,500 00
Purchase of Law Books, Circuit Courts other than First Circuit, to be expended by the Supreme Court . . . . .	2,000 00
Compiling, Printing and Binding Hawaiian Reports . . . . .	2,500 00
Stationery and Incidentals all Courts, to be expended by the Supreme Court . . . . .	2,500 00
Traveling Expenses District Magistrates . . . . .	500 00
Traveling Expenses, Judge and Clerk, Second Circuit (if terms are continued at Lahaina, Maui) . . . . .	300 00
Traveling Expenses, Judge and Clerk, Third Circuit . . . . .	200 00
Traveling Expenses, Judge and Clerk, Fourth Circuit (if terms are continued at Honokaa, Hamakua, Hawaii) . . . . .	300 00
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	\$ 76,300 00

## DEPARTMENT OF THE ATTORNEY GENERAL.

Support and Maintenance of Prisoners . . . . .	\$ 112,000 00
Incidentals, Civil and Criminal Cases . . . . .	38,400 00
Coroner's Inquests . . . . .	6,000 00
Expenses of Witnesses in Criminal Cases . . . . .	8,000 00
Purchasing and Installing 50 New Gamewell Police Call Boxes . . . . .	10,000 00
Purchasing Team of Horses for Patrol Wagon . . . . .	600 00
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	\$ 175,000 00

## TREASURY DEPARTMENT.

Int. Public Debt, Commission and Exchange . . . . .	\$ 200,000 00
Incidentals, Treasurer's Office . . . . .	9,000 00
Reimbursement to Chinese Fund, "amount W. H. Wright's I. O. U." . . . . .	17,949 91
Incidentals, Tax Office . . . . .	12,500 00
Incidentals, Bureau of Conveyances . . . . .	1,750 00
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	\$ 241,191 91

## DEPARTMENT OF PUBLIC WORKS.

General Emergency Appropriation for All Islands . . . . .	\$ 50,000 00
Road Damages, All Islands . . . . .	100,000 00
Departmental Expenses . . . . .	5,000 00
Incidentals and Traveling Expenses . . . . .	4,800 00
Printing and Advertising . . . . .	7,000 00
Traveling Expenses, Road Engineer to be Accompanied by Vouchers . . . . .	1,500 00
Expenses Departmental Stables . . . . .	1,800 00
Expenses for Territorial Building and Exhibit at St. Louis Exposition . . . . .	30,000 00
Repairs, Furniture and Additions to Public Buildings . . . . .	50,000 00
Repairs Court Houses, Jails, Jailors' Quarters, All Islands . . . . .	8,000 00
Repairs Royal Mausoleum . . . . .	10,000 00
Physical Laboratory, Asst. Supt. of Public Works Office . . . . .	1,500 00
Landings and Buoys, Hawaii . . . . .	10,000 00
Landings and Buoys, South Hilo . . . . .	3,000 00
Widening wharf and improving Harbor, Hookena, South Kona . . . . .	2,600 00
Landings and Buoys, Maui . . . . .	4,000 00
Landings and Buoys, Molokai . . . . .	1,500 00
Landings and Buoys, Outer Districts, Oahu . . . . .	1,000 00
Landings and Buoys, Kauai . . . . .	2,000 00
Landings and Buoys, General . . . . .	15,000 00
Light House Expenses . . . . .	3,000 00
Expenses Steam Tug . . . . .	20,000 00
Expenses Pilot Boats . . . . .	2,000 00
Expenses Numbering Houses . . . . .	4,800 00
Subsidy, Oahu Railway & Land Co. . . . .	37,100 00
Electric Light, Honolulu . . . . .	12,000 00

Expenses and Maintenance Police and Fire Alarm . . . . .	7,000 00
Electric Lighting, Hilo Streets . . .	7,200 00
Lighting Streets, other than Honolulu and Hilo . . . . .	1,500 00
Honolulu Park Commission (Supt. of Public Works to be a member)	14,400 00
Rent, Waiakamilo Camp . . . . .	1,800 00
Running Expenses Market . . . . .	1,000 00
Running Expenses, Laundries . . . .	11,000 00
Curbing Paving Government Sidewalks . . . . .	8,000 00
Constructing Sidewalks (Chapter 23, Sec. 374, Civil Laws) . . . . .	25,000 00
Fencing and Grading, Government Lots . . . . .	10,000 00
Quarantine Diseased Animals . . . .	2,000 00
Expenses Veterinary Surgeon, other than Honolulu . . . . .	2,400 00
Government Pounds' Maintenance	1,000 00
Care of Government Cemeteries . . .	4,000 00
Rent of Land for Kerosene Warehouse . . . . .	1,200 00
Repairs Court House and Jail, Wai-ohinu . . . . .	500 00
Repairs Lahaina Court House and Maintenance of Grounds . . . . .	2,400 00
Wharf Shed at Hoopuloa . . . . .	300 00
Jailor's Cottage, North Kona . . . .	600 00
Wharf Shed at Hookena . . . . .	500 00
Warehouse, Napoopoo . . . . .	500 00
Jailor's House, Kipahulu . . . . .	400 00
Jail, Kipahulu . . . . .	1,000 00

## Sewerage, Honolulu—

Five per cent. reserved, Kewalo District Sewer, Vincent & Belser	878 70
Running Expenses Sewer Pumping Station . . . . .	26,000 00
Running Expenses Excavator and Garbage Service . . . . .	30,000 00
Running Expenses Garbage Crematory . . . . .	7,200 00
Maintenance Sewer System, Honolulu . . . . .	3,000 00

## Water Works, Honolulu—

General Repairs . . . . .	12,000 00
Repairs to Reservoirs . . . . .	8,000 00
Running Expenses . . . . .	11,000 00

Running Expenses, Pumping Plants	
(3) . . . . .	50,000 00
Water Works, Other Islands—	
Hilo Water Works . . . . .	19,000 00
Laupahoehoe Water Works . . . . .	200 00
Walluku and Kahului Water Works . . . . .	3,600 00
Pressure Relief Reservoir, Kahului . . . . .	1,800 00
Lahaina Water Works . . . . .	4,000 00
Water Pipes, Kula, from Polipoli Spring . . . . .	2,500 00
Koloa Water Works . . . . .	800 00
Waiohinu Water Works . . . . .	250 00
Fire Department—	
Honolulu Fire Department . . . . .	32,460 00
Equipment and Maintenance of Combination Chemical and Hose Wagon, in vicinity of Nuuanu and Judd Streets . . . . .	7,120 00
Equipment and Maintenance of Combination Chemical and Hose Wagon at Kalihi . . . . .	7,120 00
Equipment and Maintenance of Combination Chemical and Hose Wagon at Waikiki . . . . .	7,120 00
Equipment and Maintenance of Combination Chemical and Hose Wagon, Hilo, Hawaii . . . . .	7,120 00
Public Grounds—	
Improving Thomas Square . . . . .	2,500 00
Expenses of Public Grounds, Tools, etc. . . . .	720 00
Public Grounds, General . . . . .	1,800 00
Roads and Bridges, Hawaii—	
North Kona:	
Roads and Bridges, General . . . . .	18,000 00
Widening and Improving Road from Huehue towards Waimea . . . . .	4,200 00
Rock Crusher . . . . .	2,500 00
Road from Huehue to Boundary of South Kohala, or so much thereof as may be needed to complete contract . . . . .	10,000 00
South Kona:	
Roads and Bridges, General . . . . .	14,400 00
Widening and Top-dressing road South of Kaohe, and Sub-grading, Top-dressing and Widening Road near Kau Boundary . . . . .	12,000 00

**Kau:**

Roads and Bridges, General . . . .	10,000 00
Top-dressing Road from Kahuku to Kona Boundary Line . . . . .	10,000 00
Rock Crusher . . . . .	2,500 00
Top-dressing Partly Constructed Volcano Road . . . . .	1,000 00

**Puna:**

Roads and Bridges, General . . .	10,000 00
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**South Hilo:**

Roads and Bridges, General . . .	10,000 00
Volcano Road Repairs . . . . .	5,000 00
Kaiwiki Homesteads Road . . . .	15,000 00
Pihonua Road Repairs . . . . .	1,000 00
Curbing and Sidewalks, Govt. Lots . . . . .	5,000 00

**North Hilo:**

Roads and Bridges, General . . .	15,000 00
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**Hamakua:**

Roads and Bridges, General . . .	20,000 00
Ahualoa to Waimea Road, or so much thereof as may be neces- sary to complete contract . . . .	15,000 00

**Repairs to Homestead Roads and**

Trails . . . . .	20,000 00
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**North Kohala:**

Roads and Bridges, General . . .	20,000 00
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**South Kohala:**

Macadamizing and Top-dressing Balance of Way from End of Present Road to Waimea Court House . . . . .	10,000 00
Graveling Road from Nahano- hae Hill to Keaumoku . . . . .	3,000 00
Repairing and re-grading Old Road to Kohala . . . . .	5,000 00
Repairing and Maintenance, Ka- waihae Road . . . . .	2,000 00
Repairing and Maintenance of Road from Waimea to Hama- kua Boundary . . . . .	5,000 00
Bridge for Stream between Ka- waihae and Puako . . . . .	250 00

**Roads and Bridges, Maui—****Hana:**

Roads and Bridges, General . . .	6,000 00
Regrading and Widening Road from Hana to Ulaino . . . . .	5,000 00



**Makawao:**

Roads and Bridges, General ....	28,300 00
Fencing Kula Homestead Road..	800 00
Fencing Kaheka-Kihei Road ....	1,200 00

**Walluku:**

Roads and Bridges, General ....	17,200 00
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**Lahaina:**

Roads and Bridges, General ....	14,500 00
Roads and Bridges, Molokai—	
Roads and Bridges, General .....	2,500 00

.. Improving Trails, Valleys of Wai- lau and Pelekunu . . . . .	300 00
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**Roads and Bridges, Oahu—****Koolaupoko:**

Roads and Bridges, General ....	4,500 00
Relocating Road at Kailua .....	2,000 00
repairs to Roads Damaged by Storms . . . . .	2,500 00
Repairs to Bridges . . . . .	2,000 00
Road Machine . . . . .	400 00
Road Roller . . . . .	500 00

**Koolauloa:**

Roads and Bridges, General ....	9,300 00
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**Waialua:**

Roads and Bridges, General ....	7,200 00
Steam Road Roller . . . . .	3,000 00

**Ewa and Waianae:**

Puuloa Road . . . . .	2,500 00
Makua Trail . . . . .	2,000 00
Steam Roller . . . . .	3,000 00

**Honolulu:**

Roads and Bridges, Honolulu...	456,168 08
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**Roads and Bridges, Kauai—****Waimea:**

Roads and Bridges, General ....	5,000 00
New Bridge over Waimea River, or so much thereof as may be necessary to complete contract	15,000 00

**Lihue:**

Regrading Roads Three Miles into Huleia Valley .....	6,000 00
Roads and Bridges, General ....	15,500 00
Regrading Roads One Mile into Niumalu Valley . . . . .	2,000 00
Steam Roller . . . . .	3,000 00

Regrading Road from Lihue Mill to Lihue Postoffice, including Raising of Stone Bridge .....	2,000 00	
Koloa:		
Roads and Bridges, General ....	5,535 00	
Completing New Road and Grade, Kalaheo Valley . . . . .	500 00	
Hanalei:		
Roads and Bridges, General ....	3,000 00	
Kawaihau:		
Roads and Bridges, General ....	13,300 00	
Roads and Bridges, Niihau—		
Roads and Bridges, General ....	500 00	
		<hr/> \$1,634,541 78

## DEPARTMENT OF PUBLIC INSTRUCTION.

Furniture and Fixtures .....	\$ 500 00	
Industrial and Manual Training...	8,000 00	
Book Fund . . . . .	16,000 00	
Stationery and Incidentals . . . . .	6,000 00	
School Supplies . . . . .	8,000 00	
Expenses Summer School . . . . .	4,000 00	
Repairing School Buildings . . . . .	30,000 00	
Equipment and Rent of Room for Lace-Making .....	1,000 00	
Materials for Lace-Making . . . . .	1,000 00	
Traveling Expenses of Lace Teach- er from the United States to Ho- nolulu . . . . .	250 00	
Support of Lahainaluna . . . . .	10,000 00	
General Expenses, Food, Clothing, Medical Attendance, etc., Boys' Industrial School, 100 boys .....	14,400 00	
General Expenses, Food, Clothing, Medical Attendance, etc., Girls' Industrial School, 50 Girls .....	7,200 00	
Material for Manual Work, Girls' Industrial School . . . . .	1,200 00	
Live Stock, Farming Implements, Tools, Building Materials, etc., Boys' Industrial School . . . . .	2,560 00	
		<hr/> \$ 110,110 00

## DEPARTMENT OF PUBLIC LANDS.

Office Incidentals and Traveling Expenses . . . . .	\$ 3,200 00
Printing and Advertising . . . . .	4,000 00

## SENATE JOURNAL.

Purchase of Books (Office and Land Patent Grants) . . . . .	500 00	
Appraisers' Fees . . . . .	300 00	
Preliminary Roads and Trails . . . .	7,000 00	
Expenses Filing Boundary Certificates . . . . .	500 00	
	<hr/>	\$ 15,500 00

## COMMISSION OF AGRICULTURE AND FORESTRY.

Materials, Supplies, Tools, Hose, Fencing, etc. . . . .	\$ 2,000 00	
Stationery, Stamps, Books, Periodicals . . . . .	500 00	
Importation of Plants and Seeds and Collecting Seeds . . . . .	2,000 00	
Expert Forester, Traveling Expenses . . . . .	1,000 00	
Incidentals, Forestry . . . . .	10,000 00	
Farmers' Institute, Printing and Incidentals . . . . .	300 00	
Fencing and Maintenance of Forest Reservations . . . . .	15,000 00	
Feed, Shoeing, etc., for Horses . . .	500 00	
Traveling Expenses, Commissioner	1,000 00	
Expenses Quarantine Officer and Entomologist . . . . .	750 00	
One-half Expense and Freight, Entomologist . . . . .	1,000 00	
Agricultural and Horticultural Fairs . . . . .	5,000 00	
Propagating House and Repairs to Laborers' Quarters, Nuuanu Forest Station . . . . .	500 00	
Fumigating Houses and Quarantine Expenses . . . . .	1,000 00	
Federal Experiment Station—		
Equipment Chemical Laboratory..	1,500 00	
	<hr/>	\$ 42,050 00

## SURVEY DEPARTMENT.

Expenses of Field Parties and Office Work . . . . .	\$ 50,000 00	
Expenses of Meteorology . . . . .	1,600 00	
Publishing Maps . . . . .	300 00	
	<hr/>	\$ 51,900 00

## BOARD OF HEALTH.

General Expenses . . . . .	\$ 15,000 00
Disinfectants and Vaccine . . . . .	5,000 00
Segregation, Support and Treatment of Lepers . . . . .	228,796 61
Kalaupapa Store . . . . .	45,000 00
Stamped Envelopes for Free Use of Lepers . . . . .	1,000 00
Support of Non-leprous Male Children of Lepers . . . . .	6,000 00
Support of Non-leprous Female Children of Lepers . . . . .	6,000 00
Insane Asylum . . . . .	40,000 00
Quarantine and Fumigation Expenses . . . . .	15,000 00
One Portable Sulphur Fumigating Plant and One Portable Steam Fumigating Plant . . . . .	1,500 00
Horses, Harness, etc., for Fumigating Plants . . . . .	500 00
Extra Quarantine and Fumigation Expenses (to be used only in case of emergency) . . . . .	20,000 00
Garbage Crematory, Running Expenses . . . . .	8,000 00
Furnishing Receiving Hospital, Dispensary and Morgue . . . . .	5,000 00
Maintenance of Receiving Hospital, Dispensary and Morgue . . . . .	10,000 00
Eleele Hospital . . . . .	1,800 00
Waiimea Hospital . . . . .	3,500 00
Lihue Hospital . . . . .	3,600 00
Malulani Hospital . . . . .	8,000 00
Hilo Hospital . . . . .	12,000 00
Queen's Hospital . . . . .	50,000 00
Leahi Home (Incurable Hospital) . . . . .	12,000 00
Kapiolani Maternity Home . . . . .	9,600 00
Steamer . . . . .	35,000 00
Running Expenses of Steamer . . . . .	36,000 00
Freight and Passenger Guarantee . . . . .	5,200 00
Repairing and Furnishing Quarantine Hospital . . . . .	3,000 00
Medicines for Territorial Dispensaries . . . . .	10,000 00
Addition to Malulani Hospital Building and Equipment of Same . . . . .	20,000 00

## SENATE JOURNAL.

Reimbursement of Merchants for Money Advanced for Additional Inspectors . . . . .	8,129 57	
Increase of Water Supply for the Leper Settlement . . . . .	20,000 00	
	<hr/>	\$ 644,626 18

## MILITARY.

Uniforms Enlisted Men, Stationery, Printing and Advertising, Inci- dentals and Transportation, Re- pair, etc. . . . .	5,000 00	
Ordnance Property, Supplies and Repair . . . . .	2,000 00	
	<hr/>	\$ 7,000 00

## BAND.

Incidentals, etc., of Band . . . . .	\$ 2,400 00	
Trips to Other Islands . . . . .	8,000 00	
	<hr/>	\$ 10,400 00

## PUBLIC CHARITIES.

Associated Charities, for Running Expenses . . . . .	\$ 2,500 00	
	<hr/>	\$ 2,500 00

## AUDITING DEPARTMENT.

Incidentals and Traveling Ex- penses . . . . .	\$ 6,000 00	
	<hr/>	\$ 6,000 00

## RECAPITULATION.

Salaries and Pay Rolls—	
Permanent Settlements . . . . .	\$ 3,420 00
Office of Secretary of the Territory	8,400 00
Judiciary Department . . . . .	133,940 00
Department of the Attorney Gen- eral . . . . .	519,020 00
Treasury Department . . . . .	204,520 00
Department of Public Works . . . .	504,475 00
Department of Public Instruction..	715,600 00
Department of Public Lands . . . .	32,280 00
Commission of Agriculture and For- estry . . . . .	40,536 00

Survey Department . . . . .	23,000 00	
Board of Health . . . . .	242,000 00	
Military . . . . .	20,880 00	
Band . . . . .	38,880 00	
Auditing Department . . . . .	30,000 00	
	<hr/>	\$2,516,951 00

## Current Expenses—

Office of Secretary of the Territory . . . . .	\$ 29,400 00	
Judiciary Department . . . . .	76,300 00	
Department of the Attorney General . . . . .	175,000 00	
Treasury Department . . . . .	241,191 91	
Department of Public Works . . . . .	1,634,541 78	
Department of Public Instruction..	110,110 00	
Department of Public Lands . . . . .	15,500 00	
Commission of Agriculture and Forestry . . . . .	42,050 00	
Survey Department . . . . .	51,900 00	
Board of Health . . . . .	644,626 18	
Military . . . . .	7,000 00	
Band . . . . .	10,400 00	
Public Charities . . . . .	2,500 00	
Auditing Department . . . . .	6,000 00	
	<hr/>	\$3,046,519 87
Salaries and Pay Rolls, Total . . . . .		\$2,516,951 00
Current Expenses, Total . . . . .		3,046,519 87
		<hr/>
Grand Total . . . . .		\$5,563,470 87

At 11:45 o'clock a supplementary message from the Governor was received.

At 11:55 o'clock Senator Isenberg moved to take a recess until 2 o'clock. Seconded by Senator Baldwin and carried.

## AFTERNOON SESSION.

The Senate reconvened at 2 o'clock, the Secretary continuing the reading of the Governor's message.

Senator J. T. Brown moved that the Governor's message be translated and referred to the Printing Committee for printing. Seconded by Senator C. Brown and carried.

The Supplementary Message of the Governor was read by the Secretary as follows:

## SENATE JOURNAL.

## A MESSAGE

To the Legislature of the Territory of Hawaii:

I submit herewith emergency estimates for appropriations for the present fiscal period. The estimates under the head of Department of Public Works, will, if appropriated, correspondingly relieve the regular appropriations for that Department as called for by the estimates already submitted.

SANFORD B. DOLE.

Executive Chamber,

February, 20th, 1903.

## EMERGENCY ESTIMATES

For Appropriations to be expended during the existing Fiscal Period.

## JUDICIARY DEPARTMENT.

January 1st, to June 30th, 1903.

Supreme and Circuit Courts.....	\$ 18,250 00	
Pay of Interpreters not specially provided for . . . . .	300 00	
	<hr/>	\$ 18,550 00

To June 30th, 1903.

Roads and Bridges 4th District, including Nuanu Avenue, Honolulu . . . . .

DEPARTMENT OF PUBLIC WORKS.	
cluding Nuanu Avenue, Honolulu . . . . .	\$ 25,000 00

Roads and Bridges, 5th District, Honolulu . . . . .	10,000 00
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Dredging Honolulu Harbor.....	25,000 00
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Landings and Buoys, Honolulu.....	5,000 00
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Expenses, Sewers, Honolulu.....	1,500 00
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Repairs and Furniture, Government Buildings . . . . .	5,000 00
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Roads and Bridges, General, all islands . . . . .	10,000 00
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Landings and Buoys, General.....	3,000 00
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Landings and Buoys, Hawaii.....	5,000 00
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Hilo Water Works or so much thereof as may be necessary to complete contract . . . . .	9,000 00
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Completion of Road Huehue to North Kona, or so much thereof as may be necessary to complete contract..	5,000 00
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Relocating Road between Ookala and Kukaiiau, Hawaii . . . . .	5,000 00	
Waimea Wharf, Kauai . . . . .	1,500 00	
	<hr/>	\$ 110,000 00

## DEPARTMENT OF PUBLIC INSTRUCTION.

To June 30th, 1903.

Reform School, General Expenses, Food, Clothing, Tools, etc. . . . .	\$ 2,400 00	
Stationery and Incidentals . . . . .	1,500 00	
	<hr/>	\$ 3,900 00

## COMMISSION OF PUBLIC LANDS.

January 1st to June 30th, 1903.

Office and Travelling Expenses, Printing and Advertising and In- cidental . . . . .	\$ 1,800 00	
	<hr/>	\$ 1,800 00

## BOARD OF HEALTH.

January 1st to June 30th, 1903.

General Expenses . . . . .	\$ 2,000 00	
Disinfectants and Vaccine . . . . .	170 00	
Fumigation Expenses . . . . .	4,200 00	
Segregation and Treatment of Lepers . . . . .	18,000 00	
	<hr/>	\$ 24,370 00

## FIRE CLAIMS.

Expenses of Payment of Claims . . . . .	\$ 25,000 00	
	<hr/>	\$ 25,000 00

## RECAPITULATION.

Judiciary Department . . . . .	\$ 18,550 00	
Department of Public Works . . . . .	110,000 00	
Department of Public Instruction . . . . .	3,900 00	
Commission of Public Lands . . . . .	1,800 00	
Board of Health . . . . .	24,370 00	
Fire Claims . . . . .	25,000 00	
	<hr/>	\$ 183,620 00

Senator C. Brown moved that the message be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.; seconded by Senator J. T. Brown and carried unanimously.



Senator Dickey gave notice of intention to introduce a Bill entitled "An Act to amend Section 1 of Act 66 of the Session Laws of 1896 relating to holidays."

Senator J. T. Brown gave notice of intention to introduce the following bills:

"An Act granting a franchise to Construct, Maintain and Operate an Electric Railway in the District of Hilo, Island of Hawaii, Territory of Hawaii."

"An Act to Amend Section 710 of Chapter 55 of the Civil Laws set forth in a compilation made by Sidney M. Ballou under authority of the Legislature and published and entitled 'Civil Laws relating to Awa.'"

"An Act to amend Section 837 of the Civil Code relating to exemption."

Senator J. T. Brown moved that the rules be suspended to allow of the reading for first time by title of his Bill entitled "An Act Granting a Franchise to Construct, Maintain and Operate an Electric Railway in the District of Hilo, Island of Hawaii, Territory of Hawaii." Seconded by Senator C. Brown and carried.

The Bill passed first reading by title.

Senator Isenberg gave notice of intention to introduce the following Bills:

"An Act for the protection of Horticulture and to protect the introduction into the Territory of Hawaii of Insects or Diseases Injurious to Fruit or Fruit-trees, Sugar Canes, Vines, Bushes or Vegetables, and to provide for a Quarantine for the enforcement of this Act."

"An Act to prevent the wanton destruction of the Food fishes living in the waters of the Territory of Hawaii."

"An Act to authorize the appointment of a Fish Commissioner and to define his duties and powers."

The Chair here announced the following Standing Committees:

Ways and Means:

Senators Baldwin, Paris and Kaiue.

Judiciary:

Senators C. Brown, Achi and Woods.

Public Expenditures:

Senators Paris, McCandless and Nakapaahu.

Public Lands, Internal Improvements, Agriculture, etc.

Senators McCandless, Paris and Kaohi.

Health and Education:

Senators Wilcox, Baldwin and Woods.

Enrollment, Revision and Printing:

Senators C. Brown, Isenberg and Kalauokalani.

Accounts:

Senators Isenberg, Achi and J. T. Brown.

Rules and Joint Resolutions:

Senators C. Brown, Dickey and Kaiue.

Miscellaneous Petitions:

Senators Dickey, Isenberg and Kaiue.

Senator C. Brown introduced the following resolution:

**RESOLUTION.**

Be it Resolved that a Special Committee of five members of the Senate be appointed. Such Committee to consist of two members from the Third Senatorial District, and one member each from the 1st, 2nd and 4th Senatorial Districts. The duty of such Committee to be the consideration of the County Bill; and

Be it Further Resolved that said Committee be authorized to engage such assistance, legal or otherwise, that in the opinion of said Committee may be required in the consideration thereof.

Dated Honolulu, February 20th, 1903.

CECIL BROWN,

Senator 3rd District.

Senator Dickey moved the adoption of the resolution. Seconded by Senator J. T. Brown and carried.

Senator Achi introduced a Bill entitled "An Act to repeal Act 10, Session Laws of 1901, entitled 'An Act relating to the appointment of Bailiffs for certain Courts in the Territory of Hawaii, and defining the duties and powers of such Bailiffs, and fixing the amount of their compensation, and providing the payment of such payment.'"

Senator Achi moved that the rules be suspended to allow of first reading of the Bill. Seconded by Senator Dickey and carried.

The Bill passed First Reading.

Senator Achi gave notice of intention to introduce a Bill entitled "An Act to appropriate money for the purpose of defraying the expenses of Bond Issue and other expenses relating to payment of Fire Claims from the Public Treasury."

President Crabbe here called Senator Paris to the Chair.

Senator Crabbe gave notice of intention to introduce the following Bills:

"An Act to provide for the appointment by the Governor

of a Commission for the purpose of framing a Charter for the City of Honolulu."

"An Act to regulate the employment of labor on Public Works of this Territory."

"An Act to regulate the compensation of Pilots throughout the Territory."

The Secretary read the following communication from the Clerk of the House of Representatives:

House of Representatives,  
Honolulu, H. T., February 21, 1903.

To the Honorable President,  
and Members of the Senate:

By direction of the House of Representatives, Second Legislature of the Territory of Hawaii, I have the honor to advise your organized, and is ready for business, with the following officers: Honorable Body that the said House of Representatives is duly

Speaker . . . . .	The Hon. F. W. Beckley
Vice-Speaker . . . . .	The Hon. E. Knudsen
Clerk . . . . .	Mr. Solomon Meheula
Chaplain . . . . .	The Rev. S. W. Kekuewa
Interpreter . . . . .	Mr. Wm. J. Coelho
Stenographer . . . . .	Mr. Geo. P. Thielan
Sergeant-at-Arms . . . . .	Mr. J. H. S. Kaleo
Messenger . . . . .	Mr. S. K. Maloi
Janitor . . . . .	Mr. Moses Kelliaa

And I am also directed to further advise you that Representatives S. F. Chillingworth, W. W. Harris and M. K. Kou have been appointed a Committee to act in conjunction with the Committee of the Senate for the purpose of notifying the Governor of the Territory that the Legislature is duly organized and awaits his message.

Respectfully submitted,

SOLOMON MEHEULA,  
Clerk of the House of Representatives.

Senator C. Brown moved that the communication be received and placed on file. Seconded by Senator Dickey and carried.

The Secretary read the following invitation from the Governor to attend the Competitive Drill of the First Regiment National Guard of Hawaii:

Executive Chamber,  
Honolulu, H. T.

The Governor presents his Compliments to the President and Members of the Senate and their wives, and requests the pleasure of their Company on the Reviewing Stand at the Competitive Drill of the First Regiment National Guard of Hawaii in Capitol Square, on Saturday, February twenty-first, Nineteen Hundred and Three, at 1:30 o'clock p. m.

R. S. V. P.  
Secretary to the Governor.

Senator Baldwin moved that the invitation be accepted with thanks and that the Secretary be instructed to notify the Governor of its acceptance. Seconded by Senator Isenberg and carried.

Senate Bill No. 1, entitled "An Act to provide Counties in the Territory of Hawaii" was read second time by title.

Senator C. Brown moved that the Bill be referred to the Special Committee for the consideration of the County Bill. Seconded by Senator J. T. Brown and carried.

The Chair named the following Special Committee for the consideration of the County Bill: Senators C. Brown, Baldwin, McCandless, Paris and Nakapaahu.

Senate Bill No. 2, entitled "An Act to repeal Act 20 of the Session Laws of 1901 relating to Income Tax" passed second reading and, upon motion of Senator C. Brown, seconded by Senator Baldwin, was referred to the Printing Committee.

At 2:50 o'clock Senator C. Brown moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Kaiue and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

## FOURTH DAY.

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Saturday, February 21st, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, Achi, C. Brown, McCandless, Nakapaahu (reported sick), Paris and Wilcox absent.

The Journal of the Third Day was read and, upon motion of Senator Kalaauokalani, seconded by Senator Kaohi, approved as read.

Senator C. Brown for the Printing Committee reported that the Committee has held a meeting and addressed communications to the various printing offices calling for bids.

Senator C. Brown introduced a bill entitled "An Act authorizing the deposit of public money in a designated depository, to provide for the safekeeping and repayment thereof, and to provide security therefor."

Senator C. Brown moved that the bill pass first reading and be translated and referred to the Printing Committee. Seconded by Senator Kalaauokalani and carried.

Senator J. T. Brown introduced a bill entitled "An Act to amend Section 710 of Chapter 55 of the Civil Laws set forth in a compilation made by Sidney M. Ballou, under authority of the Legislature and published and entitled 'Civil Laws relating to Awa.'"

Senator Paris moved that the Bill pass First Reading, be translated and referred to the Printing Committee. Seconded by Senator Kalaauokalani and carried.

Senator Isenberg introduced a Bill entitled "An Act for the protection of Horticulture and to prevent the introduction into the Territory of Hawaii of Insects or Disease injurious to Fruit or Fruit trees, Sugar Canes, Vines, Bushes or Vegetables, and to provide for a Quarantine for the enforcement of this Act."

Senator Achi moved that the Bill be read First time by title. Seconded by Senator Isenberg.

Senator Baldwin moved as an amendment that the Bill be read through. Seconded by Senator Kalaauokalani and carried.

Senator Baldwin moved that the Bill be referred to the Printing Committee. Seconded by Senator Paris and carried.

Senator Isenberg introduced a Bill entitled "An Act to authorize the appointment of a Fish Commissioner and to define his duties and powers."

Senator Dickey moved that the Bill pass first Reading and be referred to the Printing Committee. Seconded by Senator Baldwin and carried.

Senator Isenberg introduced a Bill entitled "An Act to prevent the wanton destruction of the food fishes living in the waters of the Territory of Hawaii."

Senator Dickey moved that the Bill pass first reading and be referred to the Printing Committee. Seconded by Senator Kalaauokalani and carried.

Senator J. T. Brown introduced a Bill entitled "An Act to amend Section 837 of the Civil Code relating to Exemption."

Senator Achi moved that the rules be suspended to allow making a motion. Seconded by Senator Dickey and carried.

Senator Achi moved that the Bill be laid on the table to be considered with the County Bill. Seconded by Senator Paris and carried.

Senator Isenberg gave notice of intention to introduce a Bill entitled "An Act relating to the Territorial Insane Asylum."

Senator Baldwin moved that the rules be suspended and Bill be read first time today. Seconded by Senator Kaiue and carried.

The Bill passed first reading, and upon motion of Senator J. T. Brown, seconded by Senator Isenberg, was referred to the Printing Committee.

At 11:05 o'clock a message was received from the Governor and read by the Secretary.

#### A MESSAGE

To the Senate of the Territory of Hawaii.

I herewith submit for your action the following appointments:

W. H. MAYS, M.D.,

Member of the Board of Health, Jan. 15, 1903.

LORRIN ANDREWS, ESQ.,

Attorney General, Feb. 1, 1903.

SANFORD B. DOLE.

Executive Chamber,

Feb. 21, 1903.

Senator J. T. Brown moved that consideration of the message be deferred until next Thursday. Seconded by Senator Isenberg.

Senator Kalauokalani moved that the message be now considered. Seconded by Senator Dickey.

Senator J. T. Brown withdrew his motion and the motion of Senator Kalauokalani carried.

Senator Baldwin moved that the appointment of Lorrin Andrews, Esq., as Attorney General, be confirmed. Seconded by Senator Kalauokalani.

The motion carried on the following showing of ayes and noes:

Ayes: Senators Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kalauokalani, Kaohi, McCandless, Paris and Woods—10.

Noes: Senator Kaiue—1.

Not Present: Senators Achi, C. Brown, Nakapaahu and Wilcox—4.

Senator Dickey moved that the appointment of W. H. Mays as a member of the Board of Health be confirmed. Seconded by Senator Paris.

The motion carried on the following showing of ayes and noes:

Ayes: Senators Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kalauokalani, Kaohi, McCandless, Paris and Woods—10.

Noes: Senator Kaiue—1.

Not Present: Senators Achi, C. Brown, Nakapaahu and Wilcox—4.

Senator Baldwin moved that the Secretary be instructed to notify the Governor of the action of the Senate in regard to the appointments. Seconded by Senator Kalauokalani and carried.

Senator Dickey moved that the rules be suspended in order to allow reading of a committee report. Seconded by Senator Kalauokalani and carried.

Senator Dickey reported for the special committee appointed at the Special Session to investigate the Board of Health as follows:

Honolulu, February 21, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—The Special Committee appointed at the Extra Session to examine matters pertaining to the Board of Health report as follows:

We have been unable to find any serious charges against the Board of Health based on their actions during the past biennial period.

The problem of insuring the public against epidemics and insanitary conditions, without entailing serious expense and hardship on the part of the people, is a very difficult one, and while the Board of Health may have made some errors of judgment in attempting to solve the problem we feel that they have acted to the best of their ability in the matter and are entitled to the appreciation of the public.

Your committee would recommend that the regulations in regard to plumbing and sewerage be made as much as practicable matter of law instead of remaining simply regulations of the Board under general powers granted them, and that this be done in a manner to conserve the public health at as small an expense to individuals as possible.

We recommend that in such laws no charge be made for connecting premises with the sewers but that such expense be borne by the County or City and that there be no yearly rates for use of sewer.

Respectfully submitted,

C. H. DICKEY, Chairman.

W. C. ACHI,

D. KALAUOKALANI.

Senator Paris moved that the report be accepted and referred to the Committee on Health and Education. Seconded by Senator Dickey and carried.

Senator Kaiue moved that the report be translated and printed. Seconded by Senator J. T. Brown and carried.

Senator Dickey introduced a bill entitled "An Act to amend Section 1, Act 66 of the Session Laws of 1896."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee. Seconded by Senator Paris and carried.

Senator McCandless gave notice of intention to introduce a bill entitled "An Act to amend several Sections of Act 9, Session Laws of 1901."

Senator McCandless moved that the rules be suspended to allow of the presentation of a petition. Seconded by Senator J. T. Brown and carried.

Senator McCandless presented a petition from residents and tax payers in the District of Ewa praying for an appropriation for a new school house at Pearl City.

The petition was referred to the Committee on Health and Education.

The following communication from the Secretary of the Governor was read:



Executive Chamber,  
Honolulu, H. T., Feb. 21st, 1903.

To the President and Members of the Senate:

Owing to the inclemency of the weather the Governor has given orders that the Competitive Drill of the First Regiment, N. G. H., be postponed until Monday, February the 23rd, at 1:45 p. m.

Very Respectfully,

ALEX. G. HAWES, JR.,  
Secretary to the Governor.

Senator Paris moved that the communication be received and placed on file. Seconded by Senator Dickey and carried.

Senator Dickey moved that Senate Bill No. 3 entitled "An Act to appropriate money for the purpose of paying the expenses of the Special Session of the Senate of the Legislature of the Territory of Hawaii of the year 1902, and of defraying the expenses of the regular session of the Senate of the Legislature of the Territory of Hawaii, of the year 1903 from the Public Treasury," be read second time. Seconded by Senator Isenberg and carried.

Senator J. T. Brown moved that the bill pass Second Reading. Seconded by Senator Dickey and carried.

Senator Baldwin moved that the bill be made the special order of the day for next Monday. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 4 entitled "An Act granting a franchise to Conduct, Maintain and Operate an Electric Railway in the District of Hilo, Island of Hawaii, Territory of Hawaii."

Senator Paris moved that the bill be referred to the Printing Committee. Seconded by Senator Dickey and carried.

Second Reading of Senate Bill No. 5 entitled "An Act to repeal Act 10, Session Laws of 1901," entitled 'An Act relating to the appointment of Bailiffs for certain Courts in the Territory of Hawaii and defining the duties and powers of such Bailiffs and fixing the amount of their compensation, and providing the payment of such payment.'"

Senator Paris moved that the bill be referred to the Printing Committee. Seconded by Senator Dickey and carried.

Second Reading of Senate Bill No. 6, entitled "An Act to appropriate money for the purpose of defraying the expenses of Bond Issue and other expenses relating to payment of Fire Claims from the Public Treasury."

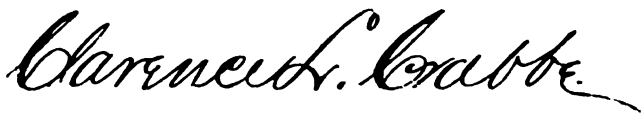
Senator Baldwin moved that the bill be referred to the Printing Committee. Seconded by Senator J. T. Brown and carried.

At 11:25 o'clock Senator J. T. Brown moved to adjourn until 10 o'clock on Monday. Seconded by Senator Isenberg and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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FIFTH DAY.

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Monday, February 23rd, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Baldwin and Nakapaahu (reported sick), absent.

The Journal of the Fourth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kaiue, approved as corrected.

The following communication from the House of Representatives was read by the Secretary:

House of Representatives,  
Honolulu, T. H., February 21st, 1903.

To the Honorable President  
and Members of the Senate,  
of the Territory of Hawaii.

By direction of the House of Representatives, I respectfully return the accompanying Senate Joint Resolution for proper certification.

Respectfully submitted,

SOLOMON MEHEULA,

Clerk of the House of Representatives.

Senator Dickey moved that the President and Secretary certify the same to have been adopted by the Senate on the original document and return to the House. Seconded by Senator Kalauokalani and carried.

Senator Baldwin presented a petition praying that the road through Kanaio and Kahikinui be repaired.

The petition was referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Senator Baldwin presented a petition from the residents of the Leper Settlement praying for an appropriation for a breakwater, etc.

The petition was referred to the Interpreter for translation. Senator Dickey presented three petitions against placing the schools under County Supervisors.

Senator Paris moved that the petitions be referred to the Committee on the County Bill. Seconded by Senator Dickey.

Senator Baldwin moved as an amendment that the petitions be translated and printed. Seconded by Senator Kalauokalani and carried.

Senator Isenberg reported for the special committee appointed at the Special Session to investigate the Office of the Superintendent of Public Works, that the Superintendent had prepared a bill to introduce and had given the same to Senator McCandless, and asked that the committee be discharged.

Senator C. Brown moved that all Special Committees, except the Committee on Public Lands, be discharged. Seconded by Senator Isenberg.

Senator Dickey moved as an amendment that all committees, except the Committee on Public Lands, be discharged and that the Committee on Public Lands be allowed three days in which to report.

Senator C. Brown accepted the amendment which carried.

Senator Dickey gave notice of intention to introduce the following bills:

"An Act to provide for the incorporation of cities within the Territory of Hawaii."

"An Act to authorize W. W. Dimond, his associates, successors and assigns, to manufacture and supply Hydro Carbon Gas and its by-products in Honolulu."

President Crabbe here called Vice President Paris to the chair.

Senator Achi gave notice of his intention to introduce the following bills:

"An Act relating to Real Estate of deceased persons."

"An Act to limit the power of the Board of Health in making regulations, giving the power to the Governor to veto said rules."

"An Act to encourage the cultivation of Castor Oil Plant."

Senator McCandless gave notice of his intention to introduce the following bills:

"An Act to license the retail sale of Malt Liquors."

"An Act to license the Brewing and Sale of Malt Liquors."

"An Act to repeal a part of Section 2, Chapter 72, Session Laws of 1886, and to remit claims for Special Tax on Malt Liquors under said Section."

Senator McCandless moved that the rules be suspended to allow of the introduction of the three bills. Seconded by Senator Isenberg and carried.

Senator McCandless introduced a bill entitled "An Act to license the retail sale of Malt Liquors."

Senator Achi moved that the rules be suspended so as to allow his making a proper motion. Seconded by Senator Crabbe and carried.

Senator Achi moved that the bill pass first reading and be referred to the Committee on County Bill. Seconded by Senator Dickey and carried.

Senator McCandless introduced a bill entitled "An Act to license the Brewing and Sale of Malt Liquors."

Senator C. Brown moved that the bill pass first reading and be referred to the Printing Committee. Seconded by Senator Woods and carried.

Senator McCandless moved that the action taken on the previous bill be reconsidered. Seconded by Senator Dickey and carried.

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee. Seconded by Senator Dickey and carried.

Senator McCandless introduced a bill entitled "An Act to repeal a part of Section 2, Chapter 72, Session Laws of 1886, and to remit Claims for Special Tax on Malt Liquors under said Section."

Senator Kalauokalani moved that the Bill pass First Reading and be referred to the Printing Committee. Seconded by Senator Crabbe and carried.

Senator Crabbe introduced a Bill entitled "An Act to regulate the employment of Labor on the Public Works of this Territory."

Senator Dickey moved that the Bill pass First Reading by title. Seconded by Senator McCandless and carried.

Senator Crabbe moved that the Bill be referred to the Printing Committee. Seconded by Senator Kalauokalani and carried.

Senator Crabbe gave notice of intention to introduce a Bill entitled "An Act to regulate the practice of Dental Surgery in the Territory of Hawaii."

Senator Crabbe moved that the rules be suspended to allow of the introduction of the Bill. Seconded by Senator Kalauokalani and carried.

Senator Crabbe introduced a Bill entitled "An Act to regulate the practice of Dental Surgery in the Territory of Hawaii."

Senator Crabbe moved that the Bill be read first time by title. Seconded by Senator Dickey and carried.

Senator Crabbe moved that the Bill pass First Reading and be referred to the Printing Committee. Seconded by Senator Isenberg and carried.

Third Reading of Senate Bill No. 3, entitled "An Act to appropriate money for the purpose of paying the expenses of the Special Session of the Senate of the Legislature of the Territory of Hawaii of the year 1902, and of defraying the expenses of the regular session of the Senate of the Legislature of the Territory of Hawaii of the year 1903, from the Public Treasury."

Senator Kalauokalani moved that the Bill pass Third Reading by calling the ayes and noes. Seconded by Senator Kaohi.

The Bill passed Third Reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaune, Kalanokalani, Kaohi, McCandless, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Nakapaahu—1.

At 11:30 o'clock Senator C. Brown moved to adjourn until 10 o'clock tomorrow out of respect to the birthday of George Washington. Seconded by Senator Isenberg and carried.

*William Dickey*

Approved by the Senate:

Clerk of the Senate.

*Charles L. Crabbe*

President of the Senate.

## SIXTH DAY.

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Tuesday, February 24th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Baldwin, C. Brown, Dickey, Kalaauokalani, Nakapaahu and Woods absent.

The Journal of the Fifth Day was read and, upon motion of Senator McCandless, seconded by Senator Kalaauokalani, approved as read.

Senator Baldwin presented a translation of the Petition from the residents of the Leper Settlement praying for an appropriation for a breakwater, etc.

The Petition was referred to the Committee on Health and Education.

Senator C. Brown reported for the Printing Committee that Senate Bills Nos. 18, 19, 17, 15 and 16 were printed and ready for distribution.

Senator Kalaauokalani gave notice of intention to introduce the following Bills:

"An Act to amend Section 837 of the Civil Code relating to Exemption."

"An Act to repeal Section 463 of the Penal Laws relating to importation of Spirituous Liquors."

"An Act to authorize and regulate the placing of Electric wires in the streets of Honolulu."

"An Act to regulate the sale of Goods, Wares and Merchandise in the Territory of Hawaii, and to repeal Sections 75, 76 and 79 of Act 64 of the Session Laws of 1896, being Sections 764, 765 and 768 of the Penal Laws, and to amend Sections 77 and 78 of said Act, and being Sections 766 and 767 of the Penal Laws."

"An Act to amend Section No. 14, Act 51 of S. L. 1896, entitled 'Internal Taxes, etc.,' which is also Section No. 817 of Civil Laws."

Senator Achi gave notice of intention to introduce the following Bills:

"An Act relating to the Members of the Board of Health and amending the laws relating to the same."

"An Act giving the Mortgagor, his heirs or representatives the right to redeem the property within one year after the foreclosure."

Senator Achi introduced the following resolution:

RESOLUTION.

Resolved, that the Governor is hereby requested to give any information to this House of the amount of Claims filed against the Territory of Hawaii by citizens of Foreign Countries, based upon their treatment by the Republic of Hawaii under Martial Law in 1895.

W. C. ACHI,  
Senator 3rd District.

February 24th, 1903.

Senator Kaiue moved that the resolution be adopted. Seconded by Senator Kalauokalani and carried.

Senator McCandless introduced the following resolution:

RESOLUTION.

Resolved, That the Superintendent of Public Works be and he is hereby requested to provide for the use of Committees of this Senate suitable quarters in the basement of the Capitol Building.

Senate Chamber, Honolulu, T. H., Feb. 24, 1903.

L. L. McCANDLESS.

Senator Isenberg moved that the resolution be adopted. Seconded by Senator Kalauokalani and carried.

Senator Isenberg moved that Senator McCandless be appointed a committee of one to interview the Superintendent of Public Works and report tomorrow morning. Seconded by Senator Achi and carried.

The Chair appointed Senator McCandless a committee of one.

Senator J. T. Brown moved that Senate Bills Nos. 15, 16 and 17 be ordered translated. Seconded by Senator Isenberg and carried.

Senator Baldwin moved that Senate Bills Nos. 15, 16 and 17 be referred back to the Printing Committee. Seconded by Senator J. T. Brown and carried.

The President here called Senator C. Brown to the Chair.

Senator Crabbe gave notice of intention to introduce the following Bills:

"An Act to repeal the Stamp Duty on Certificates of Stock of Corporations."

"An Act relative to the Manufacture and Sale of Intoxicating Liquors."

There being no objection the rules were suspended and Senator Crabbe introduced a Bill entitled "An Act to repeal

the Stamp Duty on Certificates of Stock of Corporations."

Senator Crabbe moved that the Bill pass First Reading by title. Seconded by Senator Kalaauokalani and carried.

There being no objection the Bill passed First Reading and was ordered translated and referred to the Printing Committee.

Under suspension of the rules Senator Crabbe introduced a Bill entitled "An Act relative to the Manufacture and Sale of Intoxicating Liquors."

The Bill passed First Reading and was ordered translated and referred to the Printing Committee.

Senator Achi gave notice of intention to introduce a Bill entitled "An Act to repeal all Acts relating to Stamps on Documents on Real Estate."

Senator Achi moved that Senate Bills Nos. 18 and 19 be referred back to the Printing Committee for translation. Seconded by Senator Kalaauokalani.

Senator Baldwin moved that Senate Bills Nos. 18 and 19 be referred back to the Printing Committee for printing in Hawaiian. Seconded by Senator Dickey and carried.

Senator McCandless gave notice of intention to introduce a bill entitled "An Act to better define and regulate the manner of electing Directors and Trustees of Corporations."

Under suspension of the rules, Senator McCandless introduced a bill entitled "An Act to better define and regulate the manner of electing Directors and Trustees of Corporations."

Senator Baldwin moved that the bill be read through. Seconded by Senator Dickey and carried.

The bill passed first reading and, upon motion of Senator McCandless, seconded by Senator Achi, was ordered translated and referred to the Printing Committee.

At 11:10 o'clock Senator Isenberg moved to adjourn until 10 o'clock tomorrow. Seconded by Senator Kalaauokalani and carried.

*William Dickey*

Approved by the Senate:

Clerk of the Senate.

*Charles L. Crabbe*

President of the Senate.



## SEVENTH DAY.

Wednesday, February 25th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi and Dickey absent.

The Journal of the Sixth Day was read and, upon motion of Senator Kalaauokalani, seconded by Senator Paris, approved as read.

The following communication from the Secretary of the Territory was read by the Secretary:

Honolulu, H. I., Feb. 24, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Upon assuming the duties of this office I find that we have on hand sufficient copies in Hawaiian of the Civil and Penal Codes, as compiled by S. M. Ballou, to supply the Senate; and wishing in every way to assist the Senate to economize and yet to expedite its business, I should be very glad to furnish without charge, whatever number is requested.

I am, sir,

Very respectfully yours,

GEORGE R. CARTER,  
Secretary of the Territory.

Dic. G. R. C.

Senator Kalaauokalani moved that the communication be received and placed on file. Seconded by Senator Kaohi.

Senator Paris moved as an amendment that the Secretary be authorized to reply with the thanks of the Senate, and asking for 15 copies. Seconded by Senator J. T. Brown and carried.

At 10:15 o'clock the following message from the Governor was received and read by the Secretary:

## A MESSAGE

To the Senate of the Territory of Hawaii.

I herewith submit for your action the following nominations:

BOARD OF MEDICAL EXAMINERS.

C. B. Wood, M.D.  
C. L. Garvin, M.D.  
E. C. Waterhouse, M.D.

BOARD OF DENTAL EXAMINERS.

W. E. Taylor, M.D.  
M. E. Grossman, D.D.S.  
George H. Huddy, D.D.S.

SANFORD B. DOLE.

Executive Chamber,  
February 25th, 1903.

Senator Dickey moved that the message be referred to the Committee on Health and Education. Seconded by Senator C. Brown and carried.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 9 and 11 printed and ready for distribution.

Senator J. T. Brown introduced a resolution with reference to placing the schools under County Supervisors as follows:

RESOLUTION.

Whereas education is the most certain road to the highest civilization and betterment of a community, and

Whereas to insure this the youth of the community should be under the best training, and

Whereas the Board of Education as it now exists cannot from its central position exercise the necessary supervision and control of the schools of distant and separated districts;

Therefore, be it resolved by the Republican Precinct Club of the 7th Precinct, 2nd District, believing that we act for the best interests of the people, and after due and careful consideration, that we request that the County Bill as it now exists in the draft before us be so amended or changed that all schools and matters pertaining to Education shall be under the control of the several Counties, feeling assured that only in this manner can the best results be attained. The parents are by far the best judges of when and where to erect school buildings, the competency of instructors and character of instruction, and all other matters relating to the education of their children, and this control should not be taken from them. Only in this way can complete supervision and attention to the numerous questions of importance constantly arising, be assured. No good, in our opinion, can be obtained from the periodical visits of members of the Board as now constituted. These visits are expensive and the money could be much better expended in other ways.

We believe that members of the School Board should be chosen by the voters of the community, and should be com-

posed of residents and be an institution of the County alone; the parents of the children being the best judges of their welfare.

Be it further Resolved, That a copy of these resolutions be forwarded to the several members of the Legislature from this Island of Hawaii, requesting their attention and assistance, and one copy to the Secretary of the Republican Territorial Executive Committee at Honolulu, it being the sense of the members of the Republican Precinct Club of the 7th Precinct, 2nd District, that County Government should be so in fact as well as in name.

And be it further Resolved by this Club that the District Magistrates should be selected by the voters of the County at the regular elections, the same as other elected officers; and that the County in all matters where it is alone concerned shall have the chance to decide by vote who shall fill these very important offices. No one person can be so good a judge of the qualifications of a citizen as his fellow residents of the County.

JOHN T. BROWN.

Senator C. Brown moved that the resolution be referred to the Committee on Health and Education. Seconded by Senator J. T. Brown.

Senator Paris moved as an amendment that the resolution be referred back to the introducer to be put in proper shape. Seconded by Senator Kaiue.

The Chair then put the amendment of Senator Paris which resulted in a tie vote of 6 to 6, the Chair casting the deciding vote to refer to the Committee on Health and Education.

Under suspension of the rules Senator Wilcox presented a Petition from residents on Kauai praying that the schools be placed under County Supervision.

The Petition was referred to the Committee on Health and Education.

Under suspension of the rules Senator Dickey introduced a Bill entitled "An Act to authorize W. W. Dimond, his associates, successors and assigns to Manufacture and Supply Fuel and Illuminating Gas and its by-products in Honolulu."

Senator Dickey moved that the Bill pass First Reading by title and be referred to the Printing Committee for translation and printing. Seconded by Senator Kaiue and carried.

Senator Kalauokalani introduced a Bill entitled "An Act to amend Section 837 of the Civil Code relating to Exemption."

Senator Kalauokalani moved that the Bill pass First Reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

Senator Kalauokalani introduced a Bill entitled "An Act to repeal Section 463 of the Penal Laws relating to Importation of Spirituous Liquors."

Senator Kalauokalani moved that the Bill pass First Reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kaiue and carried.

Senator Kalauokalani introduced a Bill entitled "An Act to amend Section No. 14, Act 51 of S. L. 1896, entitled, 'Internal Taxes, etc.,' which is also Section 817 of Civil Laws."

Senator C. Brown moved that the Bill pass First Reading. Seconded by Senator Baldwin and carried.

Senator Kalauokalani introduced a Bill entitled "An Act to regulate the Sale of Goods, Wares and Merchandise in the Territory of Hawaii and to repeal Sections 75, 76 and 79 of Act 64 of the Session Laws of 1896, being Sections 764, 765 and 768 of the Penal Laws, and to amend Sections 77 and 78 of said Act, and being Sections 766 and 767 of the Penal Laws."

Senator Kalauokalani moved that the Bill pass First Reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kaohi and carried.

Senator Wilcox gave notice of intention to introduce a Bill entitled "An Act to prohibit the use of Cast or Throw Nets in taking Fish within the Public Waters of the Territory."

Under suspension of the rules Senator Wilcox introduced a Bill entitled "An Act to prohibit the use of Cast or Throw Nets in taking Fish within the Public Water of this Territory."

Senator Wilcox moved that the Bill pass First Reading. Seconded by Senator Kalauokalani and carried.

Under suspension of the rules, Senator Brown reported for the Printing Committee that Senate Bill No. 10 was printed and ready for distribution.

At 11:25 o'clock Senator C. Brown moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Kalauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

## EIGHTH DAY.

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Thursday, February 26th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi (reported sick), Baldwin (excused) and Nakapaahu (reported sick) absent.

The Journal of the Seventh Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kaiue, approved as read.

The Secretary read the following communication from the House of Representatives:

House of Representatives,  
Honolulu, T. H., February 24th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith transmit Senate Joint Resolution, which was unanimously adopted by the House of Representatives this 24th day of February, 1903.

Very respectfully,

SOLOMON MEHEULA,  
Clerk House of Representatives.

Senator Paris moved that the communication be received and placed on file. Seconded by Senator Woods and carried.

The following communication from the Clerk of the House of Representatives transmitting House Bill No. 1 was read by the Secretary:

House of Representatives,  
Honolulu, Territory of Hawaii, Feb. 24, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill No. 1, entitled "An Act to appropriate money for the purpose of de-

fraying the expenses of the Session of the House of Representatives, Territory of Hawaii, of the year 1903 from the Public Treasury," which passed its third reading in the House of Representatives, Territory of Hawaii, this 24th day of February, 1903.

Respectfully submitted,

SOLOMON MEHEULA,  
Clerk House of Representatives.

Senator C. Brown moved that the bill be made the special order of the day. Seconded by Senator Kaiue and carried.

Senator McCandless reported for the Committee on Public Lands appointed at the Special Session as follows:

Honolulu, T. H., 25th Feb., 1903.

To the HON. C. L. CRABBE,  
President of the Senate.

Sir:—

The Committee appointed at the Special Session of the Senate to ascertain the condition of all records, transactions, etc., in the Department of Public Lands of the Territory, begs leave to report that it has made an extensive expert examination of the books of the Commissioner of Public Lands and has discovered a large number of apparent errors and discrepancies, but it is unable to verify these or to have them properly explained on account of the absence of the Commissioner at the present time on official business.

We therefore recommend that the work of the Special Session Committee, so far as accomplished, be placed in the hands of the regular Senate Committee on Public Lands, Internal Improvements and Agriculture; and further, that the Committee appointed at the Special Session be now discharged.

Respectfully,

L. L. McCANDLESS, Chairman.  
J. B. KAOHI,  
C. H. DICKEY.

Senator C. Brown moved that the report of the Committee be adopted. Seconded by Senator Isenberg and carried.

Senator C. Brown for the Printing Committee reported that Senate Bills Nos. 6, 7, 8, 13, 15 and 18 had been printed and were ready for distribution.

Senator C. Brown gave notice of his intention to introduce the following bills:

"An Act to provide for Public Loans."

"An Act to authorize the appointment of a Commission to compile the Statute Laws of the Territory."

"An Act to provide for the payment by the Territory of additional salaries to the Judges of the several Circuit Courts of the Territory."

Senator C. Brown introduced a Bill entitled "An Act to provide for Public Loans."

Senator J. T. Brown moved that the Bill pass First Reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Isenberg and carried.

Senator Kaohi gave notice of intention to introduce the following Bills:

"A Bill for An Act to repeal Sections 915 to 926 inclusive of Part 5, Chapter 59 of the Penal Laws relating to Vaccination."

"A Bill for An Act to amend Section 868 of the Penal Laws relating to Board of Health."

"A Bill for An Act to amend Paragraph 2 of Section 962 of the Penal Laws, relating to rules and regulations of the Board of Health."

Senator Kalauokalani introduced a Bill entitled "An Act to authorize and regulate the placing of Electric Wires in the Streets of Honolulu."

Senator C. Brown moved that the Bill pass First Reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

The President here called Vice-President Paris to the Chair.

Senator Crabbe introduced a Bill entitled "An Act to fix the compensation of Pilots for the different ports of the Territory of Hawaii."

Senator Crabbe moved that the Bill pass First Reading and be referred to the Printing Committee for translation and printing. Seconded by Senator J. T. Brown and carried.

Second Reading of Senate Bill No. 26, entitled "An Act to amend Section No. 14, Act 51 of S. L. 1896, entitled 'Internal Taxes, etc.,' which is also Section No. 817 of the Civil Laws."

Senator C. Brown moved that the Bill be referred to the Committee on Ways and Means. Seconded by Senator J. T. Brown and carried.

Second Reading of Senate Bill No. 28, entitled "An Act to prohibit the use of Cast or Throw Nets in taking Fish within the public waters of this Territory."

Senator Isenberg moved that the Bill be referred to a special Committee of 3. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 9, entitled "An Act for the protection of Horticulture, and to prohibit the introduction into the Territory of Hawaii of Insects or Diseases injurious to Fruit or Fruit Trees, Sugar Canes, Vines, Bushes or Vegetables, and to provide for a Quarantine for the enforcement of this Act."

Senator C. Brown moved to amend as follows: In Section five (5), on line 3, after the words \$500.00, strike out all of the balance of the Section, and that the Bill pass First Reading as amended. Seconded by Senator Kalauokalani and carried.

Senator Kalauokalani moved that the Bill be typewritten and read third time tomorrow. Seconded by Senator J. T. Brown and carried.

The Chair appointed Senators Isenberg, J. T. Brown and Wilcox as the special committee to which was referred Senate Bill No. 28.

Second Reading of Senate Bill No. 11, entitled "An Act to prevent the wanton destruction of the Food fishes living in the waters of the Territory of Hawaii."

Senator C. Brown moved that the bill be referred to the special committee to which was referred Senate Bill No. 28. Seconded by Senator J. T. Brown and carried.

Second Reading of Senate Bill No. 10, entitled "An Act to authorize the appointment of a Fish Commissioner and to define his duties and powers."

Senator McCandless moved that the bill be referred to the same special committee. Seconded by Senator C. Brown and carried.

First Reading of House Bill No. 1, entitled "An Act to appropriate money for the purpose of defraying the expenses of the Session of the House of Representatives, Territory of Hawaii, of the year 1903, from the Public Treasury."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

Under suspension of the rules, Senator C. Brown introduced a bill entitled "An Act to authorize the appointment of a Commission to compile the Statute Laws of the Territory of Hawaii."



Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kaiue and carried.

Senator C. Brown introduced a bill entitled "An Act to provide for the payment by the Territory of Hawaii of additional salaries to the Judges of the Circuit Courts of the several Judicial Circuits of this Territory."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for printing and translation. Seconded by Senator Kalauokalani and carried.

Senator Isenberg moved to take up for consideration Senate Bill No. 6, entitled "An Act to appropriate money for the purpose of defraying the expense of Bond Issue and other expenses relating to payment of Fire Claims from the Public Treasury." Seconded by Senator McCandless.

After considerable discussion Senator Isenberg withdrew his motion.

Under suspension of the rules Senator C. Brown reported for the Printing Committee that Senate Bills Nos. 16 and 17 had been printed and were ready for distribution.

Second Reading of Senate Bill No. 8, entitled "An Act to amend Section 710 of Chapter 55 of the Civil Laws as set forth in a compilation made by Sidney M. Ballou, under authority of the Legislature and published and entitled 'Civil Code relating to Awa.'"

Senator Dickey moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator J. T. Brown and carried.

Senator McCandless moved to take up for consideration Senate Bill No. 15, entitled "An Act to license the retail Sale of Malt Liquors." Seconded by Senator C. Brown and carried.

Senator Paris moved that the bill pass second reading by title, and be referred to the Committee on Miscellaneous Petitions. Seconded by Senator Kalauokalani and carried.

Senator C. Brown moved to take up for second reading Senate Bill No. 16, entitled "An Act to license the Brewing and Sale of Malt Liquors." Seconded by Senator McCandless and carried.

Senator C. Brown moved that the bill be referred to the Committee on Miscellaneous Petitions. Seconded by Senator McCandless and carried.

Senator McCandless moved to take up for second reading Senate Bill No. 17, entitled "An Act to repeal a part of Section 2, Chapter 72, Session Laws of 1886, and to remit Claims for

Special Tax on Malt Liquors under said Section." Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the bill be referred to the Committee on Miscellaneous Petitions. Seconded by Senator Dickey and carried.

Senator Isenberg moved to take up for second reading Senate Bill No. 13, entitled "An Act relating to the Territorial Insane Asylum." Seconded by Senator Dickey and carried.

Senator Isenberg moved that the bill pass second reading by title. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Isenberg and carried.

Senator Isenberg moved to take up for second reading by title Senate Bill No. 18, entitled "An Act to regulate the employment of labor on the Public Works of this Territory." Seconded by Senator C. Brown and carried.

Senator McCandless moved to take up for second reading Senate Bill No. 19 entitled "An Act to regulate the practice of Dental Surgery in the Territory of Hawaii." Seconded by Senator Isenberg and carried.

Senator C. Brown moved that the bill be referred to the Committee on Health and Education. Seconded by Senator Paris and carried.

At 11:45 o'clock Senator Isenberg moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Kalau-okalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

## NINTH DAY.

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Friday, February 27th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin (excused), Dickey, Nakapaahu (reported sick) and Woods absent.

The Journal of the Eighth Day was read and, upon motion of Senator Kaohi, seconded by Senator J. T. Brown, approved as read.

The Secretary read the following communication from the Chief Justice presenting his report for the years 1901 and 1902.

Supreme Court,  
Territory of Hawaii,  
Honolulu, February 26th, 1903.

To the President of the Senate:

I have the honor to present herewith to the Senate my Report to the Legislature for the years 1901 and 1902.

Very respectfully,

W. F. FREAR,  
Chief Justice, Supreme Court,  
Territory of Hawaii.

Senator Isenberg moved that the communication be received and placed on file. Seconded by Senator Paris and carried.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 2, 5 and 14 printed, translated and already distributed, also petitions relating to placing schools under County Supervisors.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported as follows:

Senate Chamber, Honolulu, T.H., Feb. 27, 1903.

HONORABLE CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Standing Committee on "Public Lands, Internal Improvements, Agriculture, etc.," to whom was referred the message of His Excellency the Governor on the subject of

"Emergency estimates for Appropriations for the Present Fiscal Period," begs leave to report herewith and recommend the passage of an accompanying Act making such appropriations as appear to be required.

The items, Roads and Bridges, 4th District, carrying \$25,000, includes Nuuanu Avenue, which is the dividing line of the two districts and the improvement, maintenance and repairs of which is really a proper equal charge upon both the fourth and fifth districts.

Roads and Bridges, 5th District, Honolulu, is increased from \$10,000 to \$12,000 on account of further urgent needs being presented to your committee.

Landings and Buoys, Honolulu, \$5,000, is increased to \$15,000 for the reason that since the estimate was made it has been learned that a considerable additional sum above the \$5,000 first recommended will be required for the repair of wharves in Honolulu Harbor in failing and dangerous condition.

Respectfully,

L. L. McCANDLESS,  
J. D. PARIS,  
J. B. KAOHI,  
Committee.

Senator Paris moved that the report of the committee be adopted. Seconded by Senator J. T. Brown and carried.

Senator McCandless introduced a bill entitled "An Act making Special Appropriations for the immediate use of the Judiciary Department, the Department of Public Works, the Department of Public Instruction, the Commission of Public Lands, the Board of Health and payment of Fire Claims."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Paris and carried.

Senator C. Brown for the Printing Committee reported Senate Bill No. 27 printed and ready for distribution.

Senator Isenberg gave notice of his intention to introduce a bill entitled "An Act defining the Sanitary District of Honolulu and establishing Rules and Regulations for the Plumbing and Drainage of Buildings and the Construction of House Sewers in said District."

Under suspension of the rules, Senator Isenberg introduced a bill entitled "An Act Defining the Sanitary District of Honolulu and establish Rules and Regulations for the Plumbing and Drainage of Buildings and Construction of House Sewers in said District."

Senator Dickey moved that the bill be read first time by title. Seconded by Senator Isenberg and carried.

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator J. T. Brown and carried.

Senator Achi introduced a bill entitled "An Act to encourage the Cultivation of Castor Oil Plant."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee. Seconded by Senator Kalauokalani and carried.

Senator Kaohi introduced a bill entitled "An Act to amend Section 868 of the Penal Laws relating to the Board of Health."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kaohi and carried.

The following communication from the Clerk of the House of Representatives, transmitting House Concurrent Resolution No. 1, was read by the Secretary:

House of Representatives,  
Honolulu, H. T., February 26th, 1903.

To the Honorable President  
and Members of the Senate  
of the Territory of Hawaii.

I have the honor to transmit herewith House Concurrent Resolution No. 1, which was duly passed by this House this 26th day of February, 1903.

Respectfully submitted,

S. MEHEULA,  
Clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 1.

Whereas, the day laborers on the employment of the Public Works Dept. are not paid at the end of each week for work performed, but are paid at intervals of two weeks or one month, and that such delay in payment results in the borrowing of money from third parties at exorbitant rates of interest, such necessitated borrowing becoming a serious Tax upon said laborers,

Be it Resolved by the House of Representatives, the Senate Concurring, that the matter be called to the attention of the

Auditor General and the Public Works Department and that they be requested in so far as it may be possible to regulate the time of payment, as to suit the necessities of the laborers and remove the abuse arising from the necessary discounting of pay warrants.

That a copy of this Resolution be forwarded to the Auditor and Superintendent of Public Works Department.

Senator J. T. Brown moved that the resolution be adopted. Seconded by Senator Kalaauokalani and carried.

President Crabbe here called Vice President Paris to the chair.

Senator Achi introduced the following resolution relating to new bills being translated:

Honolulu, T. H., February 27, 1903.

#### RESOLUTION.

Resolved that after the 15th day of the Session all new bills which may be introduced shall be translated in Hawaiian before they are introduced in the Senate, except otherwise ordered by the Senate.

W. C. ACHI,  
Senator 3rd District.

Senator McCandless moved that the resolution be adopted. Seconded by Senator Dickey.

Senator Isenberg moved to amend to make the time after the twentieth day of the Session.

Senator Achi accepted the amendment which carried.

Senator Dickey introduced the following resolution relating to adjournment.

#### RESOLUTION.

Resolved that whenever the Senate shall adjourn without a special time set the adjournment shall be to the hour of Ten a. m. of the succeeding day.

C. H. DICKEY,  
Senator 2nd District.

Senator Crabbe moved that the resolution be adopted. Seconded by Senator Isenberg and carried.

Senator Crabbe gave notice of intention to introduce a bill entitled "An Act to authorize licenses for Sales of Wine, Ale, Beer, Cider and Spirits by Retail Grocers."

Under suspension of the rules Senator Crabbe introduced a bill entitled "An Act to authorize Licenses for Sales of Wine, Ale, Beer, Cider and Spirits by Retail Grocers."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

Senator C. Brown gave notice of intention to introduce the following bills:

"An Act to amend Section 14 of Chapter 23 of the Session Laws of 1884 (also being Section 2070 of the Civil Laws of the Territory of Hawaii, as set forth in a compilation made by Sidney M. Ballou)."

"An Act to amend Section 2 of Chapter 1 of the Penal Code (Penal Laws, Section 3) defining Felonies and Misdemeanors."

"An Act relating to Larceny, amending Section 15 of Chapter XVI. of the Penal Code as amended by Act 25 of the Laws of 1896 (Penal Laws, Section 132)."

"An Act relating to Assault and Battery, amending Section 7 of Chapter IX. of the Penal Code as amended by Act 34 of the Laws of 1896, and adding a new Section to said Chapter IX."

"An Act relating to the receiving of stolen goods, amending Section 5 of Chapter XX. of the Penal Code, Penal Laws, Section 174."

"An Act relating to malicious injuries, amending Section 1 of Act 35 of the Laws of 1896, Penal Laws, Section 200."

Under suspension of the Rules Senator C. Brown introduced a Bill entitled "An Act to amend Section 2 of Chapter 1 of the Penal Code (Penal Laws, Section 3), defining Felonies and Misdemeanors."

Senator J. T. Brown moved that the Bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Crabbe and carried.

Senator C. Brown introduced a Bill entitled "An Act Relating to Larceny, amending Section 15 of Chapter XVI. of the Penal Code, as amended by Act 35 of the Laws of 1896 (Penal Laws, Section 132)."

Senator J. T. Brown moved that the Bill pass First Reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani.

Senator Dickey moved as an amendment that the Bill pass First Reading and be referred to the Printing Committee but not translated. Seconded by Senator J. T. Brown and carried.

Senator C. Brown introduced a Bill entitled "An Act Relating to Assault and Battery, amending Section 7 of Chapter

IX. of the Penal Code, as amended by Act 34 of the Laws of 1896, and adding a new Section to said Chapter IX."

Senator J. T. Brown moved that the Bill pass First Reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

Senator C. Brown introduced a bill entitled "An Act Relating to the Receiving of Stolen Goods, amending Section 5 of Chapter XX. of the Penal Code (Penal Laws, Section 174)."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

Senator C. Brown introduced a bill entitled "An Act relating to Malicious Injuries, amending Section 1 of Act 35 of the Laws of 1896 (Penal Laws, Section 200)."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

Under suspension of the rules Senator C. Brown reported for the Printing Committee that Senate Bills Nos. 23 and 29 were printed and ready for distribution.

Senator J. T. Brown, under suspension of the rules, presented a petition praying for an appropriation of One Thousand Dollars for road purposes in the District of South Hilo.

Senator Achi moved that the petition be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc., to be brought up for consideration with the Appropriation Bill. Seconded by Senator J. T. Brown and carried.

Under suspension of the rules, Senator Isenberg for the special committee to which was referred Senate Bills Nos. 11 and 18, reported as follows:

Honolulu, T. H., February 27th, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee to whom were referred bills Nos. 11 and 28, beg leave to report that they have made one bill of the two and are ready to report.

D. PAUL R. ISENBERG, Chairman.  
S. W. WILCOX,  
JOHN T. BROWN.

Senator Isenberg introduced a bill entitled "An Act to prevent the wanton destruction of the Food fishes living in the waters of the Territory."



Senator Isenberg moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator J. T. Brown and carried.

Senator Achi introduced the following resolution relating to an appropriation of \$35,000.00 for the extension of Queen Street to Kalihi.

#### RESOLUTION.

Resolved that the sum of \$35,000 be inserted in the Loan Bill for expenses of extending Queen Street to Kalihi.

W. C. ACHI,  
Senator 3rd District.

Senator Achi moved that the Resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Isenberg and carried.

Senator Achi introduced the following resolution relating to the Order of the Day:

#### RESOLUTION.

Resolved that on and after Monday, March 9th, 1903, the following bills will be on the Order of the Day until they are finished, unless otherwise ordered by the Senate:

- 1st. County Bill;
- 2nd. Loan Bills;
- 3rd. Appropriation Bills.

W. C. ACHI,  
Senator 3rd District.

Senator Achi moved that the resolution be adopted. Seconded by Senator Isenberg and carried.

Senator Achi introduced a resolution relating to the preparation of an Appropriation Bill by the Committee on Public Expenditures as follows:

#### RESOLUTION.

Resolved that the Committee of Public Expenditures is hereby requested to prepare an Appropriation Bill for six months from July 1, 1903, to December 31, 1903.

W. C. ACHI,  
Senator 3rd District.

Senator Achi moved that the resolution be adopted. Seconded by Senator McCandless and, upon being put by the Chair, lost and the resolution rejected.

The Senate proceeded with the Order of the Day.

Second reading of House Bill No. 1, entitled "An Act to appropriate money for the purpose of defraying the expenses of the session of the House of Representatives, Territory of Hawaii, of the year 1903, from the Public Treasury."

Senator J. T. Brown moved that the bill pass first reading. Seconded by Senator Isenberg and carried.

Senator Kalauokalani moved that the bill be read for the third time tomorrow. Seconded by Senator Isenberg and carried.

Third Reading of Senate Bill No. 9, entitled "An Act for the protection of Horticulture and to prevent the introduction into the Territory of Hawaii of Insects or Diseases injurious to Fruit or Fruit trees, Sugar canes, Vines, Bushes or Vegetables, and to provide for a Quarantine for the enforcement of this Act."

Senator McCandless moved that the bill be considered section by section. Seconded by Senator J. T. Brown and carried.

Section. 1. Senator Isenberg moved to amend by inserting in line 4, after the word "vegetables" the words "or the earth in which they may be brought within the Territory." Seconded by Senator Dickey and carried.

Senator McCandless moved that the Section pass as amended. Seconded by Senator Kalauokalani and carried.

Section 2. Senator Isenberg moved that the Section pass as read. Seconded by Senator C. Brown and carried.

Section 3. Senator Dickey moved to amend by adding after the word "vegetables" in line 2, Section 3, the words "or the earth in which the same is packed." Senator Isenberg accepted the amendment which carried.

Senator C. Brown moved that the Section pass as amended. Seconded by Senator Paris and carried.

Section 4. Senator Isenberg moved to amend by adding after the word "vegetables" in line 2 the words "or the earth in which they may be brought within the Territory." Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the Section pass as amended. Seconded by Senator Dickey and carried.

Section 5. Senator Isenberg moved that the Section pass as read. Seconded by Senator Dickey and carried.

Section 6. Senator Isenberg moved that the Section pass as read. Seconded by Senator Woods and carried.

Senator Isenberg moved to substitute in the heading the word "prevent" in place of the word "protect." Seconded by Senator C. Brown and carried.

Senator Achi moved to amend by adding after the words "Be it enacted by the" the words "Legislature of the Territory of Hawaii" in place of the words "Senate and House of Representatives of the Territory of Hawaii." Seconded by Senator Dickey and carried.

Senator Kalauokalani moved that the bill pass third reading by calling the ayes and noes. Seconded by Senator J. T. Brown.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Absent: Senators Baldwin and Nakapaahu—2.

At 12:10 o'clock Senator McCandless moved to take a recess until 2 o'clock. Seconded by Senator C. Brown and carried.

#### AFTERNOON SESSION.

The Senate reconvened at 2 o'clock, Vice-President Paris in the Chair.

Third Reading of Senate Bill No. 6, entitled "An Act to appropriate money for the purpose of defraying the expenses of Bond Issue and other expenses relating to payment of Fire Claims from the Public Treasury."

Senator C. Brown moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 7, entitled "An Act authorizing the deposit of public money in a designated depository, to provide for the safe keeping and repayment thereof, and to provide security therefor."

Senator C. Brown moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator Isenberg and carried.

Third Reading of Senate Bill No. 2, entitled "An Act to repeal Act 20 of the Session Laws of 1901 relating to Income Tax."

Senator C. Brown moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator Kalauokalani and carried.

Third Reading of Senate Bill No. 5, entitled "An Act to repeal Act 10, Session Laws of 1901, entitled 'An Act relating to the appointment of Bailiffs for certain Courts in the Territory of Hawaii,' and defining the duties and powers of such Bailiffs, and fixing the amount of their compensation, and providing for the payment of such payment."

Senator Isenberg moved to refer the bill to the Judiciary Committee. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 14, entitled "An Act to amend Section 1, Act 66 of the Session Laws of 1896."

Senator Isenberg moved that the bill be referred to the Judiciary Committee. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 23, entitled "An Act to authorize W. W. Dimond, his associates, successors and assigns, to manufacture and supply fuel and illuminating gas and its by-products in Honolulu."

Senator C. Brown moved that the bill be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 27, entitled "An Act to regulate the sale of goods, wares and merchandise in the Territory of Hawaii, and to repeal Sections 75, 76 and 79 of Act 64 of the Session Laws of 1896, being Sections 764, 765 and 768 of the Penal Laws and to amend Sections 77 and 78 of said Act and being Sections 766 and 767 of the Penal Laws."

Senator C. Brown moved that the Bill be referred to the Committee on Ways and Means. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 29, entitled "An Act to provide for Public Loans."

Senator Isenberg moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator C. Brown and carried.

Under suspension of the rules, Senator Paris gave notice of intention to introduce the following bills:

"An Act to amend Chapter 59, Section 812 of laws as compiled by Sidney M. Ballou in regard to tax on carriages."

"An Act to amend Chapter 96, Section 1492 of laws as compiled by Sidney M. Ballou in regard to Jurors' Fees."

Senator Wilcox gave notice of his intention to introduce a bill entitled "An Act to regulate the practice of Medicine and Surgery in the Territory of Hawaii, and for the appointment of a Board of Medical Examiners."

Senator McCandless gave notice of intention to introduce a bill entitled "An Act to authorize E. C. Winston, his associates and assigns, to construct, maintain and operate a Railroad in certain Districts on the Island of Oahu in the Territory of Hawaii."

Under suspension of the rules, Senator McCandless introduced a bill entitled "An Act to authorize E. C. Winston, his associates and assigns, to construct, maintain and operate a Railroad in certain Districts in the Island of Oahu in the Territory of Hawaii."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Paris and carried.

At 2:07 o'clock Senator Kalauokalani moved to adjourn. Seconded by Senator Kaiue and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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TENTH DAY.

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Saturday, February 28th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin (excused), and Nakapaahu (reported sick), absent.

The Journal of the Ninth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kaiue, approved as read.

Senator Wilcox presented a petition from residents of the Leper Settlement praying for an increase of paiai, etc.

Senator C. Brown moved that the petition be received and laid on the table until the appointment of a committee to visit the settlement. Seconded by Senator Wilcox and carried.

Senator Dickey for the Committee on Miscellaneous Petitions, to whom was referred Senate Bill No. 15, reported as follows:

Honolulu, February 28th, 1903.

HONORABLE CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions, to which was referred Senate Bill No. 15, entitled "An Act to license the retail sale of Malt Liquors," recommend the passage of said bill, with the following amendments:

Amend Section 2 of the bill by adding the words at the end thereof, "Provided that no such license shall be issued to be exercised on premises within two hundred yards of premises occupied by any school or church."

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Kalauokalani moved that the report be adopted. Seconded by Senator C. Brown.

Senator Achi moved as an amendment that the report be laid on the table to be considered with the bill. Seconded by Senator McCandless and carried.

Senator Dickey reported for the Committee on Miscellaneous Petitions, to which was referred Senate Bill No. 16, as follows:

Honolulu, February 28th, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions, to which was referred Senate Bill No. 16 entitled "An Act to license the Brewing and Sale of Malt Liquors," recommend the passage of same with the following amendment:

That the word "one" in line 2 of Section 2 be stricken out and the word "two" inserted, making the license fee for Breweries \$250 instead of \$150.

That the word "District" in line 4 of Section 3 be stricken out so as to make persons convicted before any court liable to the punishment.

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Achi moved that the report of the Committee be adopted, and that the bill pass second reading. Seconded by Senator J. T. Brown and carried.

Senator Achi moved that the bill be typewritten and read third time on Monday. Seconded by Senator Kalauokalani and carried.

Senator Achi moved that the rules be suspended to allow making a motion. Senator C. Brown objecting, the chair called for a rising vote, which motion carried by a vote of 9 to 4.

Under suspension of the rules Senator Achi moved that House Bill No. 1, entitled "An Act to appropriate money for the purpose of defraying the expenses of the session of the House of Representatives Territory of Hawaii, of the year 1903, from the Public Treasury," be taken up for consideration. Seconded by Senator Kalauokalani and carried.

Senator Isenberg moved that the bill pass third reading by calling the ayes and noes. Seconded by Senator Dickey and carried.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandle, Paris, Wilcox and Woods—13.

Noes: None.

Absent: Senators Baldwin and Nakapaahu—2.

Senator Achi moved that the Secretary be instructed to notify the House of the passage of the bill. Seconded by Senator Kalauokalani and carried.

Senator Dickey for the Committee on Miscellaneous Petitions to which was referred Senate Bill No. 17, reported as follows:

HON. CLARENCE L. CRABBE,  
President of the Senate.

Honolulu, February 28th, 1903.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions, to which was referred Senate Bill No. 17, entitled "An Act to repeal a part of Section two, Chapter seventy-two,

Session Laws of 1886, and to remit claims for special tax on malt liquors under said Section," recommend that the preamble of the same consisting of all after the title and before the enacting clause be stricken out and the bill passed.

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator C. Brown moved that the report be adopted. Seconded by Senator Paris and carried.

Senator Dickey moved that the bill be typewritten and made the order of the day for Monday. Seconded by Senator Isenberg and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., to whom was referred Senate Bill No. 18, reported as follows:

Honolulu, T. H., Feb. 28, 1903.

HONORABLE CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Standing Committee on "Public Lands, Internal Improvements, Agriculture, etc.," to which was referred Senate Bill No. 18, being "An Act to Regulate the Employment of Labor on the Public Works of this Territory," begs leave to recommend that Section 2 be amended to read as follows:

Section 2. Eight hours of actual service shall constitute a day's Labor for all Mechanics, clerks, laborers, etc., employed upon any Public Work or in any public office of this Territory or any political subdivision thereof, whether the work is done by contract or otherwise.

Further that Section 4 be amended to read as follows:

Section 4. Any contractor, person, firm or corporation or any officer of the Territory or of any political subdivision thereof violating any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than ten dollars nor more than one hundred dollars for each offense. Any and each and every such violation shall be deemed a separate offense for each day thereof and for each mechanic, clerk, laborer, etc., employed in violation of the provisions of this act. Any contract or sub-contract for any public work in this Territory that does not comply with the provisions of Section 3 of this Act shall be absolutely void.



Your committee recommends that as so amended said bill do pass.

Very respectfully,

L. L. McCANDLESS,  
J. D. PARIS,  
J. B. KAOHI,  
Committee.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Kalauokalani and carried.

Senator Dickey moved that the bill be typewritten and made the order of the day for Monday. Seconded by Senator Paris and carried.

Under suspension of the rules, Senator C. Brown reported for the Printing Committee that Senate Bills Nos. 31, 33, 25 and 24 had been printed and were ready for distribution.

Senator Isenberg introduced the following resolution asking the Secretary of the Territory to supply copies of the Session Laws of 1901:

#### RESOLUTION.

Honolulu, T. H., February 28, 1903.

Be it resolved by the Senate that the Secretary of the Territory be respectfully requested to supply the Senate with 25 copies of the Session Laws of 1901, 5 copies to be in Hawaiian.

D. PAUL R. ISENBERG,  
Senator of 3rd District.

Senator Isenberg moved that the resolution be adopted. Seconded by Senator Kalauokalani and carried.

Senator C. Brown introduced a bill entitled "An Act to amend Section 14 of Chapter 23 of the Session Laws of 1884, also being Section 2070 of the Civil Laws of the Territory of Hawaii as set forth in a compilation made by Sidney M. Ballou."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kaiue and carried.

Senator Kaohi introduced a bill entitled "An Act to amend Paragraph 2 of Section 962 of the Penal Laws."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator J. T. Brown and carried.

Senator Kaohi introduced a bill entitled "An Act to repeal Sections 915 to 926 inclusive, Part 5 of Chapter 590 of the Penal Laws relating to Vaccination."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kaohi and carried.

Senator J. T. Brown gave notice of intention to introduce a bill entitled "An Act dedicating and granting to the County of East Hawaii, the use of certain lands in the District of Hilo, Island of Hawaii, for Park and other public purposes."

Under suspension of the rules, Senator J. T. Brown introduced a bill entitled "An Act dedicating and granting to the County of East Hawaii, the use of certain lands in the District of Hilo, Island of Hawaii, for Park and other public purposes."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

Senator Achi introduced the following resolution relating to the calling of committee meetings:

#### RESOLUTION.

Honolulu, T. H., Feby. 28, 1903.

Resolved, That hereafter call of meetings of the Committees shall be declared at the end of each day.

W. C. ACHI,  
Senator 3rd District.

Senator C. Brown moved the adoption of the resolution. Seconded by Senator Isenberg and carried.

Senator Achi introduced a resolution asking for an appropriation of \$4,000.00 for water pipes at Puunui as follows:

#### RESOLUTION.

Honolulu, T. H., Feby. 28, 1903.

Resolved, That the sum of Four Thousand Dollars may be inserted in the Loan Bill for Water Pipes on Puunui Avenue and the extension of Liliha Street.

W. C. ACHI,  
Senator 3rd District.

Senator Achi moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Dickey and carried.

Senator Kalauokalani gave notice of intention to introduce a bill entitled "An Act providing for the licensing of Tailoring and Dressmaking Establishments in the Territory of Hawaii."

Senator Wilcox introduced a bill entitled "An Act to regulate the Practice of Medicine and Surgery in the Territory of Hawaii, and for the appointment of a Board of Medical Examiners."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator McCandless reported for the committee appointed to secure a committee room, that he had interviewed the Superintendent of Public Works, who had provided a room in the basement.

Senator C. Brown gave notice of intention to introduce the following bills:

"An Act relating to the Felonious Branding of Cattle, amending Section 1 of Chapter XXV. of the Penal Code (Penal Laws, Section 215)."

"An Act to amend Section 1426 of the Civil Code (Section 2009 of the Civil Laws of 1887)."

"An Act relating to Embezzlement, amending Sections 2 and 3 of Chapter XVIII. of the Penal Code (Penal Laws, Sections 158, 159)."

"An Act relating to Burglary, amending Section 5 of Act 38 of the Laws of 1896 (Penal Laws, Section 106)."

"An Act to repeal Acts 12 and 77 of the Provisional Government (Penal Laws, Chapter 97), relating to the Importation and Sale of Opium."

"An Act to repeal certain laws relating to the Desertion of Married Persons from one another."

"An Act to amend Sections 5 and 6 of Chapter XLI. of the Laws of 1870 (Penal Laws, Sections 1398, 1399), relating to Industrial and Reformatory Schools."

"An Act relating to Contempts, amending Section 18 of Chapter XXIX. of the Penal Code, adding a new Section to said Chapter, and repealing Sections 2 and 3 of Chapter XLII. of the Laws of 1888."

"An Act relating to Waiver of Trial by Jury in Criminal Cases less than Felony."

"An Act relating to the Jurisdiction of District Magistrates and Circuit Judges, repealing certain laws and amending others by striking out portions thereof as being unnecessary or of doubtful validity or of doubtful consistency with other laws."

"An Act relating to the Giving of Notice by Publication, amending certain former laws upon that subject."

"An Act relating to Guardians and Wards."

"An Act to abolish Estates in Joint Tenancy and by Entirety except in certain cases."

"An Act relative to Insurance Policies."

"An Act relating to Criminal Practice and Procedure, amending Chapter XL. of the Laws of 1876 entitled 'An Act to regulate the practice and procedure in criminal cases,' by amending Sections 1, 2, 3, 5, 15, 38, 48, 54, 65, 68 and 73 and repealing Sections 4, 9 and 26 thereof, and adding two new Sections thereto, and repealing Section 4 of Chapter II., Section 1 of Chapter XLVIII. and Section 5 of Chapter XLVI. of the Penal Code, Act 38 of the Laws of the Provisional Government, and Section 10 of an Act of July 27, 1866."

Senator Kalauokalani introduced a bill entitled "An Act providing for the licensing of Tailoring and Dressmaking Establishments in the Territory of Hawaii."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Isenberg and carried.

Senator Paris introduced the following resolution relating to appropriations for improvements in the District of Kona, Island of Hawaii:

#### RESOLUTION.

Be it Resolved, That the following amounts be inserted in the Appropriation Bill or Loan Bill:

Court House and Jail, N. Kona, Hawaii.....	\$ 10,000 00
4-Room School House, Kona-waena.....	4,500 00
Teacher's Cottage . . . . .	500 00
Teacher's Cottage, Honaunau . . . . .	1,000 00
Teacher's Cottage, Papa . . . . .	800 00
Teacher's Cottage, Milolii . . . . .	500 00
Repair and Widening Roads, N. Kona.....	15,000 00
Repair and Widening Roads, S. Kona.....	15,000 00
Road from Honaunau to Upper Road.....	3,000 00
Wharf at Kaawaloa side, Kealakekua Bay.....	20,000 00
Extension Upper Road to Waiea . . . . .	4,000 00
3-Room School House, Hookena . . . . .	3,600 00

Total . . . . . \$ 79,900 00

Senate Chamber, Feb. 28th, 1903.

J. D. PARIS,  
Senator 1st District.

Senator Paris moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc., to be taken up with the Appropriation or Loan Bill. Seconded by Senator Kalauokalani and carried.

Senator C. Brown reported for the Printing Committee that Senate Bills Nos. 30 and 36 had been printed and distributed.

At 11:10 o'clock a message from the Governor referring to unpaid bills was received and read by the Secretary as follows:

**A MESSAGE TO THE LEGISLATURE OF THE TERRITORY  
OF HAWAII.**

I submit herewith estimates of unpaid bills for your consideration.

As some of these bills are of old dates, they should be scrutinized with special care.

Interest should be allowed on bills for fighting the Hamakua forest fires, from October 31st, 1901, to June 30th, 1903.

SANFORD B. DOLE.

Executive Chamber, February 28th, 1903.

**UNPAID BILLS.**

**JUDICIARY DEPARTMENT.**

Pay of Grand Jurors, First Circuit.	\$	2,650 00	
Pay of Trial Jurors, First Circuit.		3,600 00	
Pay of Grand Jurors, Second Circuit . . . . .		137 75	
Pay of Trial Jurors, Second Circuit . . . . .		822 75	
Pay of Grand Jurors, Fifth Circuit		130 00	
Pay of Trial Jurors, Fifth Circuit		507 00	
	\$		7,847 50

**TREASURY DEPARTMENT.**

First Taxation Division,  
Island of Oahu—

E. C. Winston . . . . .	\$	325 00
J. F. Brown . . . . .		325 00
S. K. Ka-ne . . . . .		325 00
Bulletin Publishing Co., Ltd. . . . .		404 94
Hawaiian Gazette Co., Ltd. . . . .		56 50

Second Taxation Division,  
Island of Maui, etc.—

Maui Telephone Co. . . . .	15 00
W. T. Robinson . . . . .	53 40
1st National Bank of Walluku. . . . .	23 01

Third Taxation Division,  
Island of Hawaii—

Hawaii Herald . . . . .	192 50
Kona-Kau Telephone Co. . . . .	18 00
Hilo Telephone Co., Ltd. . . . .	24 00
Mana Stables . . . . .	75
A. McAlton . . . . .	88 00
N. C. Wilfong . . . . .	53 68
Volcano Stables . . . . .	7 00
Hilo Electric Co. . . . .	2 40
Miscellaneous . . . . .	273 50

Fourth Taxation Division,  
Island of Kauai—

Kauai Telephone Co. . . . .	30 00
H. K. Kaele . . . . .	5 00
Lihue Postoffice . . . . .	3 50
Estate of J. D. Neal . . . . .	5 00
E. H. W. Broadbent . . . . .	10 00

§ 2,241 17

DEPARTMENT OF PUBLIC WORKS.

Landings and Buoys, Hawaii:

Hilo Electric Co. . . . .	\$ 63 95
Hutchinson Sugar Co. . . . .	369 39
Electric Light, Honolulu:	
The Hawaiian Electric Co. . . . .	12 50
Garbage and Excavator Service:	
W. G. Irwin & Co. . . . .	7 74
Repairs, etc., Government Build- ings:	
W. G. Irwin & Co. . . . .	39 23
F. Harrison . . . . .	125 75
Road Damages, All Islands:	
Hustace & Co. . . . .	2 50
Concrete Construction Co. . . . .	613 14
A. J. Axtell . . . . .	297 58
Waiohinu Water Works:	
Lewers & Cooke, Ltd. . . . .	118 25
Roads and Bridges, Hilo:	
H. Hackfeld & Co. . . . .	22 50
Quarantine of Diseased Animals:	
J. R. Shaw . . . . .	67 75

**Nanawale Homestead Road:**

R. Ross . . . . .	812 50
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**Kaumana Road to Olaa Flume:**

Olaa Sugar Co. . . . .	2,531 00
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**Pihonua Road:**

Hawaii Mill Co. . . . .	5,000 00
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**Waipunalei Homestead Road:**

Thos. McKinley . . . . .	218 00
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**Pahala to Volcano Road:**

Lewers & Cooke, Ltd. . . . .	101 54
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**Hamakua Forest Fires:**

Paaauhau Sugar Plantation Co. . . . .	19 00
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Pacific Sugar Mill . . . . .	64 00
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Louissou Bros. . . . .	185 50
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Hamakua Mill Co. . . . .	470 00
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Ookala Sugar Plantation Co. . . . .	692 50
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Parker Ranch . . . . .	1,017 50
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Kukaiiau Plantation Co. . . . .	2,449 10
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Kukaiiau Plantation Co. . . . .	3,854 40
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Interest at 6% to June 30th, 1903 . . . . .	875 20
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**Dredging Honolulu Harbor:**

Hawaiian Dredging Co. . . . .	406 25
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H. Hackfeld & Co. . . . .	9,481 73
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**Road Roller, Wailuku:**

Hustace & Co. . . . .	2 50
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Wilder Steamship Co. . . . .	52 75
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**Roads and Bridges, Fourth District:**

H. Hackfeld & Co., Ltd., for labor and Material for Wharf . . . . .	108,794 97
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Interest at 6% for 1 year . . . . .	6,228 25
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J. J. Belser, Contract . . . . .	5,549 20
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C. H. Dickerson . . . . .	57 50
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G. Muller . . . . .	19 50
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Road Board Pay Rolls . . . . .	2,337 85
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\$ 152,961 02

**DEPARTMENT OF PUBLIC INSTRUCTION.****General Expenses, Food, Cloth-  
ing, Tools, etc., Industrial  
School—**

T. H. Davies & Co. . . . .	\$ 91 70
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Metropolitan Meat Co. . . . .	418 76
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W. L. Wilcox . . . . .	122 50
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Hawaiian Electric Co., Ltd. . . . .	28 00
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Love's Bakery . . . . .	70 45
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Honolulu Produce & Supply Co. . . . .	76 60
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Henry May & Co., Ltd. . . . .	41 25
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## Stationery and Incidentals—

Ahoy and Akin & Co. ....	3 00	
M. F. Scott . . . . .	120 00	
Olaa Store . . . . .	4 30	
Hawaiian Star N. A. . . . .	59 00	
Wall, Nichols Co., Ltd. . . . .	310 75	
Benson, Smith & Co., Ltd. . . . .	7 40	
Hawaiian Mercantile Co. . . . .	10 05	
Hawaiian Electric Co. . . . .	7 90	
D. Kahoolo . . . . .	15 00	
Sanitary Steam Laundry . . . . .	4 50	
L. Severance . . . . .	1 00	
Hawaiian News Co. . . . .	98 00	
E. L. Rackliff . . . . .	30 00	
Neiper's Express . . . . .	1 75	
Waimea Water Co., Ltd. . . . .	6 00	
Makaalana Printing Co. . . . .	12 00	
Pala Postoffice . . . . .	5 00	
E. O. Hall & Son . . . . .	22 50	
Porter Furniture Co. . . . .	2 00	
Miss J. M. Barnard . . . . .	18 00	
J. D. Spreckels & Co. . . . .	21 00	
Hawaiian Commercial & Sugar Co.	1 25	
Smith Estate . . . . .	30 00	
McGuire's Express . . . . .	1 75	
Oahu Railway & Land Co. . . . .	95	
Hawaiian Gazette Co. . . . .	14 50	
E. W. Barnard . . . . .	3 30	
Mutual Telephone Co. . . . .	7 50	
Oahu Sugar Co. . . . .	126 00	
Hawaiian Hardware Co. . . . .	2 40	
Waialua Soda Works . . . . .	12 50	
Bulletin Publishing Co. . . . .	58 70	
Oahu Railway & Land Co. . . . .	1 00	
D. D. Baldwin . . . . .	5 00	
Hana Store . . . . .	5 70	
		\$ 1,878 95

## COMMISSION OF PUBLIC LANDS.

Expenses of Commissioner of Pub-		
lic Lands to Washington . . . . .	\$ 2,000 00	
		\$ 2,000 00

## BOARD OF HEALTH.

Segregation, Support and Treat-  
ment of Lepers—

Wilder's Steamship Co. . . . .	\$ 612 90
Fumigation Expenses—	
Union Express Co., Ltd. . . . .	22 50
Honolulu Dairymen's Association..	17 55



Henry May & Co., Ltd. ....	20 70	
C. Q. Yee Hop & Co. ....	92 29	
Benson, Smith & Co., Ltd. ....	255 47	
Catton, Neill & Co., Ltd. ....	30 56	
City Furniture Store . ....	60 00	
W. W. Dimond & Co. ....	14 70	
E. O. Hall & Son ....	19 82	
Hustace & Co., Ltd. . ....	61 00	
Ah Leong . . . . .	279 09	
People's Express . . . . .	75	
J. E. Goas . . . . .	101 05	
M. S. Grinbaum & Co. ....	36 01	
Hawaiian Electric Co, Ltd. ....	4 85	
J. A. Hopper . . . . .	13 50	
Honolulu Undertaking Co. . ....	20 00	
Lewers & Cooke, Ltd. ....	5 00	
Love's Bakery . . . . .	57 00	
Mutual Telephone Co., Ltd. ....	22 50	
Porter Furniture Co. . ....	27 00	
S. I. Shaw . . . . .	4 00	
W. L. Wilcox . . . . .	4 72	
S. I. Shaw & Co. ....	4 00	
Emmeluth & Co . . . . .	2 75	
		\$ 1,789 71

## SECRETARY'S OFFICE.

Emmeluth & Co. . . . .	\$ 1 25	
Wilder's Steamship Co. . . . .	125 25	
		\$ 126 50

## RECAPITULATION.

Judiciary Department . . . . .	\$ 7,847 50	
Treasury Department . . . . .	2,241 18	
Department of Public Works . . . . .	152,961 02	
Department of Public Instruction..	1,878 96	
Commission of Public Lands . . . . .	2,000 00	..
Board of Health . . . . .	1,789 71	
Secretary's Office . . . . .	126 50	
		\$ 168,844 87

Senator J. T. Brown moved that the message be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

A communication from the Clerk of the House of Representatives, referring to the passage of Senate Bill No. 3, was read by the Secretary as follows:

House of Representatives,  
Honolulu, T. H., Feb. 28, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith transmit Senate Bill No. 3,  
which was duly passed in the House of Representatives on its  
third reading this 28th day of February, 1903.

Very respectfully,

S. MEHEULA,  
Clerk.

Under suspension of the rules, Senator C. Brown introduced the following bills:

"An Act relating to the Felonious Branding of Cattle, amending Section 1 of Chapter XXV. of the Penal Code (Penal Laws, Section 215)."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator McCandless and carried.

"An Act to amend Section 1426 of the Civil Code (Section 2009 of the Civil Laws of 1897)."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

"An Act relating to Embezzlement, amending Sections 2 and 3 of Chapter XVIII. of the Penal Code (Penal Laws, Sections 158, 159)."

Senator C. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

"An Act relating to Burglary, amending Section 5 of Act 38 of the Laws of 1896 (Penal Laws, Section 106)."

Senator Achi moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

"An Act to repeal Acts 12 and 77 of the Provisional Government (Penal Laws, Chapter 97) relating to the Importation and Sale of Opium."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Isenberg and carried.

"An Act to repeal certain laws relating to the Desertion of Married Persons from one another."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

"An Act to amend Sections 5 and 6 of Chapter XLI. of the Laws of 1870 (Penal Laws, Sections 1398, 1399) relating to Industrial and Reformatory Schools."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

"An Act relating to Contempts, amending Section 18 of Chapter XXIX. of the Penal Code, adding a new Section to said Chapter, and repealing Sections 2 and 3 of Chapter XLII. of the Laws of 1888."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

"An Act relating to Waiver of Trial by Jury in Criminal Cases less than Felony."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

"An Act relating to the Jurisdiction of District Magistrates and Circuit Judges, repealing certain Laws and amending others by striking out portions thereof as being unnecessary or of doubtful validity or of doubtful consistency with other laws."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

"An Act relating to the Giving of Notice by Publication, amending and repealing certain former laws upon that subject."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

"An Act relating to Guardians and Wards."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator McCandless and carried.

"An Act to abolish Estates in Joint Tenancy and by Entirety except in certain cases."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator McCandless and carried.

"An Act relative to Insurance Companies."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

"An Act relating to Criminal Practice and Procedure, amending Chapter XL. of the Laws of 1876, entitled 'An Act to regulate the Practice and Procedure in Criminal Cases,' by amending Sections 1, 2, 3, 5, 15, 38, 48, 54, 65, 68 and 73, and repealing Sections 4, 9 and 26 thereof and adding two new Sections thereto, and repealing Section 4 of Chapter II., Section 1 of Chapter XLVIII., and Section 5 of Chapter XLVI. of the Penal Code, Act 38 of the Laws of the Provisional Government, and Section 10 of an Act of July 27, 1866."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

At 11:40 o'clock Senator C. Brown moved to adjourn. Seconded by Senator Kalauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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ELEVENTH DAY.

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Monday, March 2nd, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senator McCandless absent.

The Journal of the Tenth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Woods, approved as read.

A communication from the Attorney General asking for an increased appropriation was read by the Secretary as follows:

Honolulu, H. I., February 28th, 1903.

HON. CLARENCE L. CRABBE, President,  
and Members of the Senate of  
the Territory of Hawaii.

Gentlemen:—The Appropriation of \$30,000 for Civil and Criminal Incidentals appropriated for the period ending June 30, 1903, will not, in all probability, be sufficient to meet all expenses under this head for the balance of this period.

This Appropriation instead of being increased to meet the demands of a growing Territory and to insure adequate police protection therefor was by the last Legislature reduced from \$40,000 which was the amount for the preceding period, to \$30,000, which amount, in view of the large demands made upon it for civil and criminal expenses throughout the Territory, has proved insufficient, although the utmost economy has been observed and police work greatly hampered by lack of money.

An amount of \$1,200, in addition to the balance of this Appropriation now remaining, is needed to meet the expenses under this head for the remaining five months of the period; and I would, therefore, ask that such an amount be inserted in the emergency estimates for appropriations already submitted by the Governor of this Territory.

I beg to remain,

Very respectfully,

LORRIN ANDREWS,  
Attorney General, Territory of Hawaii.

Senator C. Brown moved that the communication be laid on the table to be considered with the Emergency Bill. Seconded by Senator Isenberg and carried.

Senator Crabbe presented a petition from voters of the Island of Oahu praying for an Act incorporating the Island of Oahu under one city and county government.

The petition was referred to the Committee on County Bill.

Senator Isenberg for the special committee, to which was referred Senate Bill No. 10, reported as follows:

Honolulu, H. T., March 2d, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Committee to whom was referred Senate Bill No. 10, beg leave to report that they have a substitute bill ready for consideration of the Senate.

D. PAUL R. ISENBERG,

Senator 3rd District.

S. W. WILCOX,

Senator 4th District.

JOHN T. BROWN,

Senator 1st District.

Senator C. Brown moved that the report be laid on the table to be considered with the bill. Seconded by Senator Kalauokalani and carried.

Senator Achi moved that the bill be taken up for consideration, pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator C. Brown and carried.

Senator Woods introduced the following resolution relating to the compensation of the clerk:

#### RESOLUTION.

Resolved, That the Clerk is hereby allowed Seven Dollars per day for his services in preparing the minutes of each day.

PALMER P. WOODS,

Senator from 1st District.

Honolulu, March 2nd, 1903.

Senator Achi moved that the resolution be referred to the Committee on Accounts. Seconded by Senator Kalauokalani and carried.

Senator Dickey gave notice of intention to introduce a bill entitled "Local Option Law."

Senator Achi introduced the following Joint Resolution asking that Congress appropriate for the Educational Department of the Territory of Hawaii as follows:

#### JOINT RESOLUTION.

Whereas, the revenue of the Territory of Hawaii is insufficient to pay the proper expenses of running the Government thereof; and,

Whereas, the Educational Department of said Territory needs all the assistance it can receive for the higher education of the youths in the Territory of Hawaii,

Be it Resolved, by the Senate of the Territory of Hawaii, the House of Representatives concurring, in 1903, That the Congress of the United States is hereby humbly requested to make an annual appropriation of Two Hundred and Fifty Thousand Dollars for the benefit of the Department of Education in this Territory, or that the Congress of the United States be humbly requested to make a special law, allowing twenty-five per cent. of the net proceeds of the custom revenues in this Territory to be used for the benefit of the Department of Education in this Territory.

And, be it further Resolved, That the Governor of the Territory of Hawaii is hereby requested to send certified copies of this resolution, one to the President of the United States, one to the Secretary of the Interior, one to the Secretary of the Treasury, one to the President of the Senate, one to the Speaker of the House of Representatives, and one to the Delegate of the Territory of Hawaii to the Congress of the United States.

And, be it further Resolved, That the Delegate of the Territory of Hawaii is hereby requested to use his best and continued efforts to carry out the wishes of the people of Hawaii as herein expressed.

Honolulu, March 2nd, 1903.

W. C. ACHI,  
Senator from the 3rd District.

Senator McCandless moved that the resolution be adopted. Seconded by Senator Woods and carried.

Senator J. T. Brown introduced the following resolution relating to appropriations for streets and Government roads in the District of South Hilo:

#### RESOLUTION.

It is Resolved, That a sum of money be separated from the public funds or from the Loan Bill for the improvements of the streets and Government roads of South Hilo, as follows:

March 2nd, A. D. 1903.

JOHN T. BROWN,  
Senator from the Island of Hawaii.

**ESTIMATES OF APPROPRIATIONS REQUIRED FOR HILO  
STREETS AND GOVERNMENT ROADS IN DISTRICT  
OF SOUTH HILO, ISLAND OF HAWAII.**

**NEW STREETS, HILO.**

**Front Street:**

Grading Front Street to an 80' street from Wai- anuenue Street to Waiakea River, 6,300' . . . . .	\$ 7,500 00
Macadamizing 56' wide, 6 cts. per foot. . . . .	21,168 00
Grading (\$1,512.00) and macadamizing (\$3,- 888.00) Front Street from Waiakea Bridge to Hoolulu Park Road, 1,200' . . . . .	5,400 00
Grading and macadamizing Walloa Street on East Side of Waiakea River, Wharf Street to Front Street, 730' . . . . .	1,500 00
Retaining Wall, 450' . . . . .	2,700 00

**Bridge Street:**

Grading and Macadamizing from Amaulu Street to Volcano Street, 44' macadam, 2,450' . . . . .	9,800 00
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**Volcano Street:**

Grading and Macadamizing from junction of Bridge Street to One-mile Post, 36' Macadam at \$3.00 . . . . .	10,800 00
Grading and Macadamizing from One-mile Post to Waiakea Mill, 2,000' at \$2.00 . . . . .	4,000 00

**Pitman Street:**

Grading and Macadamizing from Waiuanuenue Street to Ponohawaii, 60' wide, 36' Macadam, 1,910', at \$3.00 . . . . .	5,730 00
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**King Street:**

Grading and Macadamizing from Pitman to Front, 855' at \$3.00..\$	2,565 00
1,710 feet, 1' Gutter at .75. . . . .	1,282 00
	<hr/> \$ 3,847 00

**Puueo District:**

Grading and Macadamizing Amaulu Street from Bridge Street to Pitman, 600 at \$3.00 . . . . .	\$ 1,800 00
Kennedy Avenue, 650' at \$3.00..	1,950 00
Irwin Avenue, 1,500' at \$3.00...	4,500 00
Lehua Avenue, 700' at \$3.00....	2,100 00
Bridge Street, Amaulu to Irwin, 1,300' at \$3.00 . . . . .	3,900 00
	<hr/> 14,250 00

**Ponohawaii Street:**

Stone Gutters and Macadamizing, Volcano Street to School Street, 1,450' at \$3.60 . . . . .	5,220 00
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## Church Street:

Stone Gutters and Macadamizing Front to School Street, 1,700' at \$4.00 .....	6,800 00
School Street (extension):	
Grading and Macadamizing from Ponohawai to Kukuau Street, 1,100' at \$3.00.....\$.	3,300 00
Culvert over Kukuau Stream..	5,000 00
Macadamizing from Waiuanuenue Street to Church Street, 660' at \$2.50 . . . . .	1,650 00
	<hr/>
	9,950 00

## Pleasant Street:

Grading and Macadamizing from Waiuanuenue Street to Wailuku Avenue, 400' at \$2.50.....	1,000 00
Reed Street:	
Macadamizing 400' at \$2.50....\$	1,000 00
440 ft. Stone Culvert for storm water . . . . .	1,000 00
	<hr/>
	2,000 00

## Cocoanut Island Road:

Grading and Macadamizing from Front Street to Kainehe, 60' wide, 36' macadam, 2,200' at \$2.75	6,050 00
Wharf Street:	
Grading and Macadamizing from Waiakea Bridge to Kinau Wharf, 1,400' at \$3.00...\$	4,200 00
Macadamizing from Front Street to Waiakea Bridge, 500' at \$2.50 . . . . .	1,250 00
	<hr/>
	5,450 00

## NEW ROADS OUTSIDE OF HILO TOWN.

## Hilo-Hakalau Road:

Reconstruction of Macadamized Road 30' wide from Pukihae to Wainaku, 3,000' . . . . . \$	5,000 00
From Wainaku to Honolli Gulch, 20' wide, 10,760' at \$1.50	16,140 00
Mokuhonua Gulch, 10' Culvert..	3,000 00
	<hr/>
	24,140 00
New Road, Grading and Macadamizing from Honolli to Kapue (including new location of A. B. L. 7,200'), 10,500' . . . . .	
New 20' Culvert at Kumunuiaki . . . . .	4,000 00
New 8' Culvert at Pueapaku . . . . .	1,600 00
New Bridge and Abutment at Kapue, 65' . . . . .	2,500 00
New Bridge at Kalele, 50' steel, New Abuts. and Grade . . . . .	2,600 00

Aleamai Bridge, 62' steel, 1 new Abut., Wings and Fill . . . . .	2,800 00
Makea Gulch, 20' Culvert (culvert washed out).	3,500 00
Macadamizing from Onomea Gulch to small Bridge north of Pepeekeo Store, 13,520'...\$	13,520 00
Regrading Box Drains and Sloping Banks . . . . .	3,000 00
	<hr/> 16,520 00
Macadamizing from end of new work at Pepeekeo to Hakalau, 35,895' . . . . .	\$ 35,895 00
Regrading sloping banks, Ditching and Box Drains . . . . .	6,000 00
	<hr/> 41,895 00
New Bridge, 40' span at Walaama . . . . .	2,500 00
Volcano Road:	
Repairs . . . . .	5,000 00
Kaiwiki Homesteads:	
2 Miles of new Roads, Upper Homesteads . . . . .	\$ 10,000 00
1½ Miles Relocation Lower Road, Mailli Gulch . . . . .	7,500 00
Repairs . . . . .	5,000 00
Bridge at Mailli Gulch, 50' span..	3,000 00
	<hr/> 25,500 00
Kaumana Road:	
Reconstruction from 5 Miles to Macfarlane Section . . . . .	6,000 00
Widening Macfarlane Road to 16' and Top-dressing with Crushed Rock, 6,000' . . . . .	6,000 00
Grading and Top-dressing a Cross-road from Kaumana Road to Piihonua Road, 1½ Miles . . . . .	8,000 00
	<hr/> 20,000 00
Piihonua Road:	
Repairs . . . . .	1,000 00
New Road, Olaa to Kaumana:	
New Road from 3½ Miles on Kaumana Road to Connect with Olaa Road at about 8 Miles.....	40,000 00
Keaukaha Road . . . . .	7,500 00
Curbing and Sidewalks:	
Government Lots . . . . .	5,000 00
Approaches to Pukihae Bridge . . . . .	2,000 00
Hilo Bridges:	
Walakea Bridge . . . . .	\$ 10,000 00
Abutments . . . . .	4,000 00
	<hr/> 14,000 00

Wailuku Bridge . . . . .	\$ 15,000 00	
Abutments . . . . .	2,000 00	
Raising Grade of Street and Ma-		
cadam . . . . .	2,000 00	
		19,000 00
Kukuau Steel Bridge . . . . .		2,500 00
Street Damages, Hilo . . . . .		50,000 00
Sewers, Hilo . . . . .		25,000 00

Senator Dickey moved that the resolution be received and referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Isenberg and carried.

Senator J. T. Brown introduced a resolution asking for an appropriation for Electric Lights at Hilo, as follows:

#### RESOLUTION.

It is Resolved, That Two Thousand Dollars be separated from the Public Fund to increase the Electric Lights for the streets of Hilo.

March 2nd, A. D. 1903.

JOHN T. BROWN,

Senator from the Island of Hawaii.

Senator C. Brown moved that the resolution be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Dickey and carried.

Senator J. T. Brown introduced a resolution for an appropriation for a road from Kaola to Kahaualea in the District of Puna, as follows:

#### RESOLUTION.

It is Resolved, That the sum of Twelve Thousand Dollars be taken from the Public Fund for road purposes commencing from Kaola to Kahaualea, in the District of Puna, Island and Territory of Hawaii.

March 2nd, A. D. 1903.

JOHN T. BROWN,

Senator from the Island of Hawaii.

Senator C. Brown moved that the resolution be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Dickey and carried.

Senator Paris introduced a bill entitled "An Act to amend Section 812 of Chapter 59 of Laws relating to Internal Taxes and add a new Section called Section 812A."

Senator C. Brown moved that the bill pass first reading by title and be referred to the Printing Committee for translation and printing. Seconded by Senator Isenberg and carried.

Senator McCandless gave notice of intention to introduce the following bills:

"An Act relating to the exemption of certain personal property from attachment, execution, distress and forced sale of every nature and description, repealing Sections 2, 3, 4, 5, 6, 7, 8 of Act 9 of the Session Laws of 1901, approved the 26th day of April, 1901, and to add seven new Sections to be called Sections 2a, 3a, 4a, 5a, 6a, 7a and 8a, of Act 9 of the Session Laws of 1901."

"An Act relating to the Garnishee of Government Beneficiaries and repealing Chapter 50 of the Session Laws of 1890."

Under suspension of the rules Senator McCandless introduced a bill entitled "An Act relating to exemption of certain personal property from attachment, execution, distress and forced sale of every nature and description, repealing Sections 2, 3, 4, 5, 6, 7, 8 of Act 9, of the Session Laws of 1901, approved the 26th day of April, 1901, and to add seven new Sections to be called 2a, 3a, 4a, 5a, 6a, 7a and 8a, of Act 9 of the Session Laws of 1901."

Senator J. T. Brown moved that the bill pass first reading by title and be referred to the Printing Committee for translation and printing. Seconded by Senator Isenberg and carried.

Senator McCandless introduced a bill entitled "An Act relating to the Garnishee of Government Beneficiaries and repealing Chapter 50 of the Session Laws of 1890."

Senator McCandless moved that the bill pass first reading by title and be referred to the Printing Committee for translation and printing. Seconded by Senator J. T. Brown and carried.

Senator Baldwin introduced the following resolution asking the Treasurer of the Territory for a detailed statement of the revenue receipts:

#### RESOLUTION.

Resolved, That the Treasurer of the Territory be requested to furnish the Senate a detailed statement in duplicate of the revenue receipts of the Territory of Hawaii, for the year 1902. as follows:

- (1) The amount received from the Property Tax for each Island, from the following sources:
  - (a) From sugar plantations.
  - (b) From all other corporations.

- (c) From co-partnerships.
- (d) From individual owners.
- (2) The amount received from Income Tax for each Island.  
from the following sources:
  - (a) From sugar plantations.
  - (b) From all other corporations.
  - (c) From co-partnerships.
  - (d) From individuals.
- (3) Amount received from License Fees for each Island.
- (4) Amount received from Land Leases for each Island.
- (5) Amount received from Water Works for each Island.
- (6) Amount received from Harbor Masters for each Island.
- (7) Amount received from Fines, Penalties and Costs for each Island.
- (8) Amount received from all other sources.

H. P. BALDWIN, Chairman,  
Committee Ways and Means.

Senator C. Brown moved that the resolution be adopted.  
Seconded by Senator Baldwin.

Senator Paris moved to amend that the Treasurer be asked to furnish duplicate statements. Seconded by Senator Isenberg and carried.

Senator Isenberg offered a resolution asking for an appropriation for water pipes at Kalihi, as follows:

#### RESOLUTION.

Resolved, That the sum of Ten Thousand Dollars be inserted in the Loan Bill for water pipes on Kalihi Road and Middle Road, east side of Kalihi.

D. PAUL R. ISENBERG,  
Senator 3rd District.

Senator C. Brown moved that the resolution be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Dickey.

Senator Achi moved as an amendment to refer to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator J. T. Brown.

The Chair then put the motion to lay on the table, which carried.

The Senate proceeded with the order of the day.

Third Reading of Senate Bill No. 16, entitled "An Act to License the Brewing and Sale of Malt Liquors."

Senator C. Brown moved to amend by striking out the words "before any Court" in Section 3. Seconded by Senator Dickey and carried.

Senator Dickey moved that the bill pass third reading as amended. Seconded by Senator Kalaauokalani and carried on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Third Reading of Senate Bill No. 17, entitled "An Act to repeal a part of Section two, Chapter seventy-two, Session Laws of 1886, and to remit claims for special tax on Malt Liquors under said Section."

Senator C. Brown moved that the bill pass third reading. Seconded by Senator Kalaauokalani and carried on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris Wilcox and Woods—15.

Noes: None.

Third Reading of Senate Bill No. 18, entitled "An Act to regulate the Employment of Labor on the Public Works of this Territory."

Senator Dickey moved to amend Section 2 by substituting the words "Mechanics, Clerks, Laborers and other employees employed upon any public work" in place of the words "Mechanics, Clerks, Laborers, etc.," in line 2. Seconded by Senator Isenberg and carried.

Senator Dickey moved the same amendment in line 8 of Section 4. Seconded by Senator McCandless and carried.

Senator Dickey moved the same amendment in line 1 of Section 3. Seconded by Senator Isenberg and carried.

Senator Dickey moved that the bill pass third reading as amended. Seconded by Senator Isenberg and carried on the following showing of Ayes and Noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Second Reading of Senate Bill No. 15, entitled "An Act to license the Retail Sale of Malt Liquors."

Senator McCandless moved that the bill be read Section by Section. Seconded by Senator Isenberg and carried.

Section 1. Senator McCandless moved to amend line 6 by striking out the words "two hundred and fifty dollars" and inserting the words "five hundred dollars." Seconded by Senator Dickey and lost.

Senator Dickey moved that the Section pass. Seconded by Senator C. Brown and carried.

Section 2. Senator C. Brown moved to amend by adding after the word "Treasurer" the words "provided, however, that no such license shall be issued authorizing such sale upon any premises lying within 450 feet of the premises used as a school or church, and occupied and used as such." Seconded by Senator Dickey and carried.

At 12 o'clock Senator Kaohi moved to take a recess until 2 o'clock. Seconded by Senator J. T. Brown and carried

#### AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

Senator Achi moved as an amendment to add to Section 2 the words "Provided, however, for the City of Honolulu, no such license for the retail sale of malt liquors shall issue for premises within the District bounded by Queen, Beretania, River and Alakea Streets."

Senator C. Brown moved to amend by inserting before the word "Alakea" the words "on the Ewa side of." Seconded by Senator Achi.

The President here called the Vice-President to the Chair.

Senator Crabbe moved to amend the amendment so as to read as follows: "River Street, Beretania Street, Ewa side of Alakea Street to the Harbor front, along the Harbor front to River Street."

Seconded by Senator McCandless and carried.

Senator Achi moved to refer the bill to the Committee on Health and Education. Seconded by Senator Kalauokalani and lost.

Senator Crabbe moved that Section 1 be reconsidered. Seconded by Senator C. Brown and carried.

Senator Baldwin moved to insert after the word "liquor" in line 2 the words "of not more than ten per cent. alcoholic strength." Seconded by Senator Crabbe and carried.

Senator Baldwin moved that Section 1 pass as amended. Seconded by Senator Crabbe and carried.

Senator C. Brown moved that Section 2 pass as amended. Seconded by Senator Crabbe and carried.

Section 3. Senator Paris moved to amend by adding after the word "minors" the words "or allow minors or intoxicated persons on such licensed premises." Seconded by Senator C. Brown and carried.

Senator McCandless moved to amend line 2 by striking out the words "Five Hundred Dollars" and insert "One Thousand Dollars." Seconded by Senator Dickey and lost.

Senator Isenberg moved that the Section pass as amended. Seconded by Senator McCandless and carried.

Section 4. Senator C. Brown moved that the Section pass as read. Seconded by Senator Isenberg and carried.

Section 5. Senator McCandless moved to amend by striking out all of the Section and insert "Section 5. Upon the conviction of the party so licensed for breach of any of the terms of his bond or license, the license shall be forfeited, the amount of the bond shall be forfeited and in addition there shall be imposed upon the offender a fine of not less than One Hundred Dollars nor more than Five Hundred Dollars." Seconded by Senator Dickey and lost.

Senator Isenberg moved that the Section pass as read. Seconded by Senator Kaue and carried.

Senator Dickey moved to insert a new Section as follows:

"It shall be unlawful to sell any malt liquors without a license. Any person who shall sell malt liquor without a license shall be guilty of a misdemeanor and upon conviction be fined not less than One Hundred Dollars nor more than Two Hundred and Fifty Dollars." Seconded by Senator Achi and carried.

Section 6. Senator McCandless moved to make Section 6, Section 7. Seconded by Senator Dickey and carried.

Senator Isenberg moved that the Section pass as amended. Seconded by Senator Achi and carried.

Senator Achi moved to reconsider Section 5. Seconded by Senator Dickey and carried.

Senator Achi moved to amend by striking out all after the word "Forfeited" in line 2 of Section 5. Seconded by Senator Dickey and carried.

Senator Dickey moved that the title pass as read. Seconded by Senator C. Brown and carried.

Senator Dickey moved that the bill pass second reading as amended. Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the bill be read third time on March 4th. Seconded by Senator Isenberg and carried.



A communication from the Secretary of the Territory announcing that the Governor had signed Acts 1 and 2 was read by the Secretary.

Honolulu, H. I., March 2nd, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—I have the honor to inform you that the Governor, on the 28th day of February, 1903, signed the following Acts:

"Act 1. An Act to appropriate money for the purpose of paying the expenses of the Special Session of the Senate of the Legislature of the Territory of Hawaii of the year 1902, and of defraying the expenses of the Regular Session of the Senate of the Legislature of the Territory of Hawaii, of the year 1903, from the Public Treasury."

"Act II. An Act to appropriate money for the purpose of defraying the expenses of the Session of the House of Representatives, Territory of Hawaii, of the year 1903, from the Public Treasury."

I am,

Very sincerely yours,

G. R. CARTER,  
Secretary of the Territory.

Senator Isenberg moved that the communication be received and placed on file. Seconded by Senator Baldwin and carried.

A communication from the Secretary of the Territory was read by the Secretary relating to furnishing his office with copies of bills, reports, etc., as follows:

Honolulu, H. I., March 2nd, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Senate will confer a very great favor by furnishing me with three copies of all printed bills and reports, in English, as fast as they are received from the Printing Committee.

I should also be pleased to have, for the purpose of preservation, two copies of whatever rules are adopted by the Senate during this Session.

With thanks in advance, I am,

Very sincerely yours,

G. R. CARTER,  
Secretary of the Territory.

Senator C. Brown moved that the Secretary be ordered to supply the copies desired. Seconded by Senator Paris and carried.

The following communication from the Secretary of the Territory referring to copies of the Session Laws of 1901 was read by the Secretary:

Honolulu, H. I., March 2nd, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—In response to the Resolution passed by the Senate on February 28th, I forward herewith twenty-eight (28) copies of the Session Laws of 1901, in English.

As far as I am aware there are no Hawaiian copies in existence.

Very sincerely yours,

G. R. CARTER,

Secretary of the Territory.

Senator Achi moved that the communication be received and placed on file. Seconded by Senator Isenberg and carried.

Under suspension of the rules Senator Achi gave notice of intention to introduce the following bills: •

“An Act relating to Divorce, Separation and Annulment of Marriage.”

“An Act relating to Attorneys at Law, amending certain statutes on that subject.”

“An Act to amend Chapter LVII. of the Laws of 1892, entitled ‘An Act to reorganize the Judiciary Department’ by amending Sections 2, 5, 6, 15, 22, 26, 30, (as amended by Act 19 of the Laws of 1901), 31, (as amended by Act 6 of the Special Session of 1895), 33 (as amended by Act 2 of the Laws of 1898), 36, 37, 38, (as amended by Act 56 of the Laws of 1898), 49, 53, 56 (as amended by Act 12 of the Laws of 1896), 59, 71, 74 (as amended by Section 2 of Act 40 of the Laws of 1898), 75 and 80 and repealing Sections 25, 28, 34 and 35 thereof.”

Under suspension of the rules Senator Achi introduced a bill entitled “An Act relating to Attorneys at Law, amending statutes on that subject.”

Senator J. T. Brown moved that the bill pass first reading by title and be referred to the Printing Committee for translation and printing. Seconded by Senator Kaohi and carried.

Senator Achi introduced a bill entitled “An Act relating to Divorce, Separation and Annulment of Marriage.”

Senator J. T. Brown moved that the bill pass first reading by title and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

Senator Achi introduced a bill entitled "An Act to amend Chapter LVII. of the Laws of 1892, entitled 'An Act to reorganize the Judiciary Department' by amending Sections 2, 5, 6, 15, 22, 26, 30 (as amended by Act 19 of the Laws of 1901), 31 (as amended by Act 6 of the Special Session of 1898), 36, 37, 38 (as amended by Act 56 of the Laws of 1898), 49, 53, 56 (as amended by Act 12 of the Laws of 1896), 59, 68 (as amended by Act 56 of the Laws of 1896), 71, 74 (as amended by Section 2 of Act 40 of the Laws of 1898), 75 and 80, and repealing Sections 25, 28, 34 and 35 thereof."

Senator Achi moved that the bill pass first reading by title and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

Senator Achi introduced a bill entitled "An Act to Authorize and Provide for the Manufacture, Maintenance, Distribution and Supply of Gas for Lighting, Power and Fuel Purposes, in Honolulu and elsewhere on the Island of Oahu, Territory of Hawaii."

Senator Isenberg moved that the bill pass first reading by title and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

Senator C. Brown reported for the Printing Committee that Senate Bills 20, 40, 42 and 41 were printed and ready for distribution.

Second reading of Senate Bill No. 24, entitled "An Act to amend Section 837 of the Civil Code relating to Exemption."

Senator Isenberg moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator C. Brown and carried.

Second reading of Senate Bill No. 25, entitled "An Act to repeal Section 463 of the Penal Laws relating to Importation of Spirituous Liquors."

Senator Isenberg moved that the bill be referred to the Judiciary Committee. Seconded by Senator Kalauokalani and carried.

Second reading of Senate Bill No. 31, entitled "An Act to fix the compensation of Pilots for the different ports of the Territory of Hawaii."

Senator C. Brown moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator Isenberg and carried.

Second reading of Senate Bill No. 30, entitled "An Act to authorize and regulate the placing of Electric Wires in the Streets of Honolulu."

Senator Dickey moved that the bill be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc., and that the Committee be instructed not to report until the Loan Bill is considered. Seconded by Senator Isenberg and carried.

Second reading of Senate Bill No. 33, entitled "An Act to provide for the payment by the Territory of Hawaii of additional salaries to the Judges of the Circuit Courts of several Judicial Circuits of this Territory."

Senator Isenberg moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator Dickey and carried.

Second reading of Senate Bill No. 36, entitled "An Act to encourage the cultivation of Castor Oil Plant."

Senator C. Brown moved that the bill be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Isenberg and carried.

Second reading of Senate Bill No. 40, entitled "An Act relating to Larceny, amending Section 15 of Chapter XVI. of the Penal Code as amended by Act 35 of the Laws of 1896. (Penal Laws, Section 132.)"

Senator Isenberg moved that the bill be referred to the Judiciary Committee. Seconded by Senator Dickey and carried.

Second reading of Senate Bill No. 41, entitled "An Act relating to Assault and Battery, amending Section 7 of Chapter IX. of the Penal Code as amended by Act 34 of the Laws of 1896, and adding a new Section to said Chapter IX."

Senator Isenberg moved that the bill be referred to the Judiciary Committee. Seconded by Senator Dickey and carried.

Second reading of Senate Bill No. 42, entitled "An Act relating to the Receiving of Stolen Goods, amending Section 5 of Chapter XX. of the Penal Code (Penal Laws, Section 174)."

Senator Paris moved that the bill be referred to the Judiciary Committee. Seconded by Senator Dickey and carried.

Second reading of Senate Bill No. 20, entitled "An Act to repeal the Stamp Duty on Certificates of Stock of Corporations."

Senator C. Brown moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator Isenberg and carried.

At 3 o'clock Senator Isenberg moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator J. T. Brown and carried.

William S. S. S. S.

**Clerk of the Senate.**

**Approved by the Senate:**

Clarence L. Crabbe

**President of the Senate.**

**TWELFTH DAY.**

**Tuesday, March 3rd, 1903.**

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, Kaohi and Paris absent.

The Journal of the Eleventh Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Paris, approved as read.

Senator McCandless presented a petition from residents of the Island of Oahu praying that the water mains be extended to Kapaakea.

The petition was laid on the table to be considered with the Loan Bill.

Senator Baldwin presented a petition protesting against the change of the School system.

The petition was referred to the Committee on Health and Education.

Senator Dickey presented five petitions protesting against the change of the School system.

The petitions were referred to the Committee on Health and Education.

Under suspension of the rules Senator Dickey moved that three previous petitions which had been printed be referred

to the Committee on Health and Education. Seconded by Senator McCandless and carried.

Senator Dickey presented a petition protesting against the changing of School system.

The petition was referred to the Committee on Health and Education.

Senator Isenberg for the Committee on Accounts, to whom was referred the resolution relating to the clerk's compensation, reported as follows:

Honolulu, T. H., March 3rd, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Committee to whom was referred the resolution introduced by Senator Palmer Woods beg leave to report that the resolution be laid on the table, to be considered later, if necessary. We find that the Clerk of the Senate of the Session 1901 received an extra pay of \$7.00 at almost the end of the session, on the 45th day, as his work was way behind at that time, he was allowed this amount to catch up with his work.

D. PAUL R. ISENBERG,  
Senator 3rd District.

JOHN T. BROWN,  
Senator 1st District.

Senator C. Brown moved that the report of the Committee be adopted. Seconded by Senator McCandless and carried.

Senator Baldwin for the Committee on Ways and Means, to whom was referred Senate Bill No. 8, reported as follows:

Honolulu, T. H., March 3, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on "Ways and Means," to whom was referred Senate Bill No. 8 entitled "An Act to amend Section 710 of Chapter 55 of the Civil Laws, set forth in a compilation made by Sidney M. Ballou under authority of the Legislature, and published and entitled 'Civil Laws relating to Awa,'" beg leave to report that we have had the same under careful consideration.

The Awa License, together with all Licenses, are fully provided for in the County Bill. We would therefore recommend that Bill No. 8 be laid on the table.

Respectfully submitted,

H. P. BALDWIN, Chairman.  
J. D. PARIS,  
S. E. KAIUE.

Senator McCandless moved that the report of the Committee be adopted. Seconded by Senator Isenberg and carried.

Senator Baldwin for the Committee on Ways and Means, to whom was referred Senate Bill No. 6, reported as follows:

Honolulu, T. H., March 3, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on "Ways and Means," to whom was referred Senate Bill No. 6 entitled "An Act to appropriate money for the purpose of defraying the expenses of Bond Issue and other expenses relating to payment of Fire Claims from the Public Treasury," beg leave to report that we have had the same under consideration.

The object of the bill is to appropriate Thirty Thousand Dollars (\$30,000.00) for the purposes expressed in the title.

As money for this purpose is covered by an item in the "Emergency Appropriation Bill" that has been introduced in the Senate, we recommend that Bill No. 6 be laid on the table.

Respectfully submitted,

H. P. BALDWIN, Chairman.  
J. D. PARIS,  
S. E. KAIUE.

Senator C. Brown moved that the report of the Committee be adopted. Seconded by Senator McCandless and carried.

Senator Kalauokalani introduced the following resolution relating to an appropriation for a new cemetery:

#### RESOLUTION.

Whereas, the cemeteries that are already set apart for the burial of the dead in or about the City of Honolulu, Kona, Island of Oahu, are becoming overcrowded;

Be it Resolved, That the sum of Forty Thousand Dollars (\$40,000.00) be inserted in the Appropriation Bill or Loan Bill

for the purchase of a burial ground within a limit of four miles from the City of Honolulu;

And be it further Resolved, That the Superintendent of Public Works be authorized to negotiate the purchase of said cemetery.

D. KALAUOKALANI,  
Senator of the 3rd District, Oahu.

Honolulu, March 3rd, 1903.

Senator Dickey moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Kalauokalani and carried.

Senator Achi introduced a bill entitled "An Act providing for the redemption of property sold under Mortgage."

Senator Achi moved that the bill pass first reading and be referred to the Printing Committee for printing. Seconded by Senator C. Brown and carried.

Senator Achi introduced the following resolution asking for an appropriation for widening the Government Road from Kamoiilili to Maunalua:

#### RESOLUTION.

Resolved, That the sum of Thirteen Thousand Dollars may be inserted in the Appropriation or Loan Bill for the widening and repairing the Government Road from Kamoiilili Church to Maunalua.

W. C. ACHI,  
Senator 3rd District.

Senator Achi moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Kalauokalani and carried.

Senator Paris gave notice of intention to introduce the following bills:

"An Act to amend the laws in regard to the pay of Witnesses."

"An Act to encourage the cultivation of coffee and ramie and amend the laws relating thereto."

"An Act to encourage the cultivation of Pineapples."

Senator Achi gave notice of intention to introduce a bill entitled "An Act to reorganize the Lahainaluna Seminary and making it an Agricultural college."



Senator Paris introduced the following resolution relating to the Committee on Public Expenditures hiring clerical assistance:

RESOLUTION.

Be it Resolved, That the Committee on Public Expenditures is hereby authorized to employ experts to examine the several departments of government of the Territory.

J. D. PARIS,  
Senator 1st District.

Senator C. Brown moved that the resolution be adopted. Seconded by Senator Isenberg.

Senator Wilcox moved to amend that the Committee on Health and Education be also allowed to hire a clerk. Seconded by Senator McCandless.

After considerable discussion, Senator C. Brown moved the previous question. Seconded by Senator Baldwin and carried.

The motion to adopt the resolution as amended was then put and carried.

At 11 o'clock Senator C. Brown moved to adjourn until 10 o'clock tomorrow. Seconded by Senator Kalauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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THIRTEENTH DAY.

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Wednesday, March 4th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senator Baldwin absent.

The Journal of the Twelfth Day was read and, upon motion of Senator Kaohi, seconded by Senator J. T. Brown, approved as read.

The following communication from the Clerk of the House of Representatives, relating to Senate Joint Resolution No. 2, was read by the Clerk:

Honolulu, H. T., March 3, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith return Senate Joint Resolution No. 2, which was duly adopted by the House of Representatives, Territory of Hawaii by a unanimous aye and no vote.

Very respectfully,

S. MEHEULA,  
Clerk.

Senator Woods presented a petition from residents of Olaa, Hawaii, relating to a new school.

The petition was referred to the Committee on Health and Education.

Senator Crabbe presented a petition praying for an appropriation for a teacher for lace making.

The petition was referred to the Committee on Health and Education.

Senator Woods presented a petition from residents of Olaa, Hawaii, praying for an appropriation for a new road.

The petition was referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 4, 22, 32, 37, 38, 39, 48, 59, 60, 61, 62, 63, 64 and 65 and the Governor's Message printed and ready for distribution.

Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 5 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 5, being to repeal an Act relating to the appointing of Bailiffs for certain courts in the Territory, beg leave to report that they have had the same under consideration.

The bill sought to be repealed was introduced in and passed by the Territorial Legislature of 1901, and caused considerable comment after its passage, and when its provisions were understood and enforced. The Act was not a necessity, nor does it in any manner facilitate, in the opinion of this Committee, the practice of drawing juries. It places too much power, it is submitted, in the hands of the Judges, not that this power has ever been exerted or made use of.

The Chief Justice of the Supreme Court in his report to the Legislature has commented upon the law relating to the drawing of juries, and has suggested certain legislation on that subject, and your Committee are informed that an Act on that subject is being prepared for the present Legislature to pass upon.

We recommend the passage of the Act.

Dated, Honolulu, March 4th, 1903.

Respectfully submitted,

CECIL BROWN.

PALMER P. WOODS.

W. C. ACHI.

Senator Paris moved that the report of the Committee be adopted. Seconded by Senator Dickey and carried.

Senator Achi moved that the bill be typewritten and read third time tomorrow. Seconded by Senator Dickey and carried.

Senator C. Brown for the Judiciary Committee to whom was referred Senate Bill No. 14, reported as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 14, being an Act to amend Section 1 of Act 66 of the Session Laws of 1896, relating to public or Government holidays, beg leave to report that the bill makes changes in the days to be observed as such. Under existing law, there are seven days observed—the 1st and 17th days of January, June 11th, July 4th, the 3rd Saturday in September, commonly called "Regatta Day"; November 28th, and December 25th. The bill under consideration makes two changes, eliminating January 17th and November 28th, and inserting in their place February the 22nd, Washington's Birthday, and May 30th, known as "Decoration Day."

The Committee thinks the changes suggested are good, and therefore recommends the passage of the Act.

Honolulu, March 4th, 1903.

Respectfully submitted,

CECIL BROWN.

PALMER P. WOODS.

W. C. ACHI.

Senator Dickey moved that the report of the Committee be adopted. Seconded by Senator Paris and carried.

Senator Dickey moved that the bill be typewritten and be made the order of the day for tomorrow. Seconded by Senator Paris and carried.

Senator Baldwin for the Committee on Ways and Means, to whom was referred Senate Bill No. 24, reported as follows:

Honolulu, T. H., March 4, 1903

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 24, entitled "An Act to amend Section 837 of the Civil Code relating to Exemption," begs leave to report as follows:

This bill provides that "the tax imposed upon property shall be collected only upon property in excess of the value of One Thousand Dollars." It further provides that "no exemption shall be allowed upon the property of corporations, companies, estates of deceased persons or non-residents." And further, "that a tenant, lessee or occupier of any real property that is exempt from taxation shall not by reason thereof be exempt from taxation."

Taxation matters are fully provided for in the County Bill, and we would recommend that this bill be laid on the table to be taken up with the County Bill.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Dickey moved that the report of the Committee be adopted. Seconded by Senator Achi and carried.

Senator Baldwin for the Committee on Ways and Means reported on Senate Bill No. 29 as follows:

#### AUTHORIZATION OF LOANS.

Honolulu, T. H., March 4, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 29, entitled "An Act to provide for Public Loans," begs leave to report that we have had the same under careful consideration.

This bill is a general Act authorizing Loans, and provides the general terms and conditions under which they may be issued under the Organic Act. The bill provides for Loans to the amount of Five Million Dollars (\$5,000,000.00) that may be passed by this Legislature and succeeding Legislatures. Section 3 reads: "All bonds issued under authority of this Act shall bear interest, payable semi-annually, at the rate of not more than five per cent. per annum, and be made redeemable in five years and payable in fifteen years from the date of issue thereof."

The above terms are in accordance with the provisions of the Organic Act, and cannot be changed.

This bill is identical with the Loan Act passed by the Senate at the last Session of the Legislature, but was not passed in the House for some unaccountable reason.

Your Committee recommend its passage.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Achi moved that the report of the Committee be adopted. Seconded by Senator Isenberg and carried.

Senator Achi moved that the bill be made the order of the day for tomorrow. Seconded by Senator Isenberg and carried.

Senator Baldwin for the Committee on Ways and Means, to whom was referred Senate Bill No. 26, reported as follows:

Honolulu, T. H., March 4, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 26, entitled "An Act to amend Section No. 14, Act 51 of S. L. 1896 entitled 'Internal Taxes,' etc., which is also Section No. 817 of Civil Laws," beg leave to report that we have had the same under careful consideration.

The object of the bill is to raise the Property Tax from one per cent. (1%) as at present, to two per cent. (2%).

All taxation matters for the Territory and County are fully provided for in the County Bill that has been introduced. We would therefore recommend that this bill be laid on the table. It may be taken up and considered with the County Bill when this bill is under consideration, if the Senate so desires.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Achi moved that the report of the Committee be adopted. Seconded by Senator Dickey and carried.

Senator Baldwin for the Committee on Ways and Means reported on Senate Bill No. 27 as follows:

Honolulu, T. H., March 4, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 27, entitled "An Act to regulate the sale of goods and merchandise in the Territory of Hawaii and to repeal Sections 75, 76 and 79 of Act 64 of the Session Laws of 1896, being Sections 764, 765 and 768 of the Penal Laws, and to amend Sections 77 and 78 of said Act, and being Sections 766 and 767 of the Penal Laws," begs leave to report that we have had the same under consideration.

All License matters are fully provided for in the County Bill now in the Senate. We would therefore recommend that this bill be laid on the table. It may be taken off the table and considered with the County Bill, if the Senate so desires.

Respectfully submitted.

H. P. BALDWIN,  
J. D. PARIS.  
S. E. KAIUE.

Senator C. Brown moved that the report of the Committee be adopted. Seconded by Senator Dickey and carried.

Senator C. Brown for the Judiciary Committee, to whom was referred Senate Bill No. 25, reported as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Judiciary Committee, to whom was referred Senate Bill No. 25, respectfully report as follows:

The above bill was intended to repeal Section 463 of the Penal Laws relating to importation of Spirituous Liquors. We do not believe that the Section should be repealed, but we hereby submit that the Section be amended, and we hereby offer a new bill in the place of Bill No. 25.

CECIL BROWN,  
W. C. ACHI.  
PALMER P. WOODS,

Senator Achi moved that the report of the Committee be adopted. Seconded by Senator McCandless and carried.

Senator C. Brown introduced a bill entitled "An Act to amend Section 42 of Chapter 44 of the Session Laws of 1882, and being also Section 463 of the Penal Laws."

Senator Paris moved that the bill pass first reading. Seconded by Senator Achi and carried.

Senator Achi moved that the bill be read second time tomorrow. Seconded by Senator Dickey and carried.

Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 40 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 40, report that the object of the bill is to amend Section 132 of the Penal Laws relating to larceny, and the only change proposed is in the punishment of larceny in the second degree, making the same one year instead of two, and leaving the money penalty the same. The reason for this change as in many other bills introduced and pending in the Senate for action, is our changed conditions, and that infamous crimes or felonies must be found by indictment against persons charged with them by a grand jury, and also to reduce the penalties so that minor cases can be heard and tried before District Magistrates. The last Session of the Territorial Legislature limited the criminal jurisdiction of District Magistrates to cases punishable by fine or imprisonment with or without fine for not over one year, and as there are a number of offences which were formerly within the jurisdiction of District Magistrates and that still should be within such jurisdiction they cannot be unless the penalties are reduced. If not reduced, the cost and inconvenience of having the cases heard by the Grand Jury must still continue.

As Senate Bills Nos. 41 and 42 are in the same line and have the same object in view, this Committee recommends to the Senate that all three bills named pass, and that all further bills having the same object in view pass when they come up on their second reading without referring same to this Committee.

The Committee further state that the bills of this nature and having similar amendments, are all recommended by the Chief Justice in his very able report to the Legislature, and were drafted under the supervision of a committee of the Bar Association of this Territory.

Honolulu, March 4th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Achi moved that the report of the Committee be adopted. Seconded by Senator Dickey and carried.

Senator Dickey moved that the bill be made the order of the day for tomorrow. Seconded by Senator Achi and carried.

Senator Dickey introduced the following resolution asking for an appropriation to re-imburse the Board of Registration of the Third Representative District:

#### RESOLUTION.

Resolved, That the amount of \$62.00 be inserted in the Appropriation Bill to re-imburse the Board of Registration, Third Representative District, for amounts paid out by the Board in 1902, and which could not be paid on account of shortage in the appropriation, viz:

Amount paid Str. Lehua for Molokai trip.....	\$50 00
Amount paid gasoline launch for trip to Lanai..	12 00
Total . . . . .	<hr/> \$62 00

C. H. DICKEY,  
Senator 2nd District.

Senator Dickey moved that the resolution be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Isenberg and carried.

Senator Achi introduced a resolution requesting the Committee on Public Lands to investigate the title to Lahainaluna Seminary as follows:

#### RESOLUTION.

Resolved, That the Committee of Public Lands be requested to investigate the Government title in the Lahainaluna Premises and make a report to this House.

March 4th, 1903.

W. C. ACHI,  
Senator 3rd District.

Senator Isenberg moved to amend the resolution by substituting the Committee on Health and Education for the Committee on Public Lands. Senator Achi accepted the amendment, which carried.



Senator McCandless introduced a resolution asking for an appropriation for a school house at Aiea, as follows:

RESOLUTION.

Resolved, That the sum of \$5,000.00 may be inserted in the Loan Bill for a school house at Aiea or Kalauao, Ewa, Oahu.

L. L. McCANDLESS,  
Senator 3rd District.

Senator McCandless moved that the resolution be referred to the Committee on Health and Education. Seconded by Senator Achi and carried.

Senator Kalaauokalani introduced the following resolution asking for various appropriations for streets in Honolulu:

RESOLUTION.

Be it Resolved, by the Senate of the Territory of Hawaii, in Legislature assembled, That the following appropriations be inserted in the Appropriation Bill or in the Loan Bill for street improvements:

(1) For widening and repairing, grading and macadamizing that part of Pauoa Street starting from Nuuanu Street to terminus of same beyond Pauoa Church, the sum of Three Thousand Dollars.

(2) For purchasing, widening, extending and for grading and macadamizing that part of Fort Street starting from School Street to Pauoa Street, and running up beyond Pauoa Street to a distance of One Mile, the sum of Thirty-five Thousand Dollars.

(3) For repairing, grading and macadamizing that portion of Punchbowl Street starting from Pauoa Street to Kinau Street, the sum of Five Thousand Dollars.

(4) For repairing, grading and macadamizing that part of Punchbowl Street starting from Kinau Street to King Street, the sum of Four Thousand Dollars.

(5) For repairing, grading and macadamizing that part of Kinau Street starting from the junction of Kinau Street and Punchbowl Street to Lunaliilo Street, the sum of Four Thousand Dollars.

(6) For repairing, grading and macadamizing that part of Miller Street starting from Beretania Street to Kinau Street, the sum of Three Thousand Dollars.

(7) For extension of Kuakini Street to Punchbowl Street, and grading and macadamizing same with part so extended, the sum of Five Thousand Dollars.

D. KALAUOKALANI,  
Senator, 3d Senatorial District, T. H.

Senator Kalauokalani moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Isenberg and carried.

Senator Achi introduced a resolution relating to an appropriation for macadamizing upper Kalihi road as follows:

#### RESOLUTION.

Resolved, That the sum of \$10,000.00 may be inserted in the Loan or Appropriation Bill for regrading, macadamizing and repairing the upper portion of Kalihi Road.

Mar. 4, 1908.

W. C. ACHI,  
Senator 3rd District.

Senator Achi moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Kalauokalani and carried.

Senator Baldwin gave notice of intention to introduce a bill entitled "An Act for the Incorporation of Societies for the Prevention of Cruelty to Children."

Under suspension of the rules Senator Baldwin introduced a bill entitled "An Act for the Incorporation of Societies for the Prevention of Cruelty to Children."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Paris and carried.

Senator Paris introduced a bill entitled "An Act to encourage the cultivation of Pine Apples."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Isenberg.

Senator Achi moved as an amendment that the bill pass first reading and be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Isenberg and carried.

Senator Isenberg introduced a resolution asking for an appropriation for a teacher's cottage and school house at Lawai, Kauai, as follows:

#### RESOLUTION.

Honolulu, T. H., March 4, 1903.

Resolved, That the Committee on Health and Education look into the matter of a new school house and teacher's cottage at Lawai, Island of Kauai.

D. PAUL R. ISENBERG,  
Senator 3rd District.

Senator Paris moved that the resolution be referred to the Committee on Health and Education. Seconded by Senator Woods and carried.

Senator Paris introduced a bill entitled "An Act to amend Section 1280 of the Civil Code amended by Chapter 24 of the Session Laws of 1882."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalaauokalani and carried.

Senator Baldwin moved that the Governor's Message be referred to the Committee on Public Expenditures to act with the Committee on County Bill in regard to the estimate of appropriations and drawing up Bill of Appropriation. Seconded by Senator Achi and carried.

Senator Achi introduced the following resolution relating to the Occidental Hotel not being able to secure a liquor license:

#### RESOLUTION.

Resolved, That the Committee of Public Health is hereby requested to investigate the reasons why a Liquor License was not issued to the Occidental Hotel.

March 4, 1903.

W. C. ACHI,

Senator 3rd District.

Senator Baldwin moved to amend by referring to the Committee on Miscellaneous Petitions. Senator Achi accepted the amendment which carried.

Senator Paris introduced the following Joint Resolution protesting against making Molokai a National Leper Colony:

#### JOINT RESOLUTION OF THE LEGISLATURE OF THE TERRITORY OF HAWAII.

Be it Resolved, by the Senate and the House of Representatives of the Territory of Hawaii, That

Whereas in the report of the committee appointed by the Senate of the United States to investigate the affairs and conditions in the Territory of Hawaii, such commission have recommended that all lepers now segregated on the Island of Molokai be placed under Federal control, and that all lepers on the Mainland of the United States be transported to Molokai, thereby making a portion of our Territory a national lazaretto; and,

Whereas it is against the wishes of the citizens of this Territory that a national lazaretto be established in this Territory, and also against the wishes of the citizens now afflicted with the disease, and now segregated on Molokai that they should be placed under Federal control; and

Whereas this Territory has cared for its citizens afflicted with this disease in the most humane and intelligent manner, and that by careful segregation and intelligent treatment under the control of experienced physicians this disease is steadily decreasing, and that it is hoped in time will be eradicated from our shores.

We, therefore, as representatives of the people, in Legislature assembled, do solemnly protest to and pray the Congress of the United States that this calamity be not cast upon this Territory against the will of its citizens; and, therefore,

Be it Resolved, That the Governor of this Territory be and he is hereby requested to transmit a duly certified copy of this resolution to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives of the United States with the request that this joint resolution be laid before the Congress of the United States.

J. D. PARIS,  
Senator First District.

Senator Baldwin moved that the resolution be adopted. Seconded by Senator McCandless and carried.

Third Reading of Senate Bill No. 15, entitled "An Act to License the Retail Sale of Malt Liquors."

Senator Achi moved to postpone consideration until tomorrow. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 4, entitled "An Act granting a Franchise to Conduct, Maintain, and Operate an Electric Railway in the District of Hilo, Island of Hawaii, Territory of Hawaii." Referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Second Reading of Senate Bill No. 22, entitled "An Act to better define and regulate the Manner of Electing Directors and Trustees of Corporations." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 32, entitled "An Act to authorize the appointment of a commission to compile the Statute Laws of the Territory of Hawaii." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 37, entitled "An Act to amend Section 868 of the Penal Laws relating to the Board of Health." Referred to the Committee on Health and Education.

Second Reading of Senate Bill No. 38, entitled "An Act to authorize Licenses for Sales of Wine, Ale, Beer, Cider and Spirits by Retail Grocers." Referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 39, entitled "An Act to amend Section 2 of Chapter 1 of the Penal Code (Penal Laws, Section 3) defining Felonies and Misdemeanors." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 48, entitled "An Act to repeal Sections 915 to 926 inclusive, Part 5 of Chapter 590 of the Penal Laws relating to Vaccination." Referred to the Committee on Health and Education.

Second Reading of Senate Bill No. 59, entitled "An Act relating to Contempts, amending Section 18 of Chapter XXIX. of the Penal Code, adding a new section to said Chapter, and repealing Sections 2 and 3 of Chapter XLII. of the Laws of 1888." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 60, entitled "An Act relating to Waiver of Trial by Jury in Criminal Cases less than Felony." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 61, entitled "An Act relating to the Jurisdiction of District Magistrates and Circuit Judges, repealing certain Laws and amending others by striking out portions thereof as being unnecessary or of doubtful validity or of doubtful consistency with other Laws." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 62, entitled "An Act relating to the Giving of Notice by Publication, amending and repealing certain former Laws upon that subject." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 63, entitled "An Act relating to Guardians and Wards." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 64, entitled "An Act to abolish Estates in Joint Tenancy and by Entirety, except in certain cases." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 65, entitled "An Act relating to Insurance Policies." Referred to the Committee on Ways and Means.

At 12:07 o'clock Senator J. T. Brown moved to adjourn until 10 o'clock tomorrow. Seconded by Senator Kalauokalani and carried.

William Spradger.

**Clerk of the Senate.**

Approved by the Senate:

Clarence L. Crabbe

**President of the Senate.**

**FOURTEENTH DAY.**

Thursday, March 5th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi and C. Brown absent.

The Journal of the Thirteenth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Nakapaahu, approved as read.

A communication from the Treasurer relating to measures affecting the revenue of this Territory was read by the clerk as follows:

### **Territory of Hawaii.**

**Treasurer's Office.**

**Honolulu, Oahu, March 5, 1903.**

**HON. CLARENCE L. CRABBE.**

**President of the Senate.**

Sir:—I have the honor to herewith notify you that, whereas, several measures have already been introduced in your honorable body, affecting the revenue of this Territory, it is but proper that my Department should be apprised before being passed upon finally.

Revenue measures are of such vast importance these days, that they should be carefully looked into and properly safeguarded.

Therefore, permit me to suggest that all and every information within the reach and the province of this Department to impart, will be readily given. At the same time, assuring you of the co-operation of this Department with any committee to whom you may refer any of such measures.

I remain, Sir,

Yours obediently,

A. N. KEPOIKAI,  
Treasurer.

Senator Isenberg moved that the communication be received and placed on file. Seconded by Senator Kalaauokalani and carried.

The following communication from the clerk of the House of Representatives, relating to House Bill No. 84, was read by the clerk:

CONCURRENT RESOLUTION.

Honolulu, H. T., March 4, 1903.

To the Honorable President  
and Members of the Senate  
Territory of Hawaii.

I have the honor to herewith transmit House Bill No. 84, entitled "An Act to adopt a flag for the Territory of Hawaii," which duly passed the House of Representatives this 4th day of March, A. D. 1903.

S. MEHEULA,  
Clerk.

Senator Dickey moved that the bill pass first reading by title. Seconded by Senator Kalaauokalani and carried.

Senator Achi moved that the bill be read second time tomorrow. Seconded by Senator Isenberg and carried.

Senator Achi introduced the following Concurrent Resolution with reference to an appropriation for expenses of Fire Claims:

Honolulu, T. H., Mar. 5, 1903.

Resolved, by the Senate and concurred by the House of Representatives, That the Secretary of the Territory may be instructed that he is at liberty to notify the Secretary of the

Treasury at Washington that the money, for the expenses of the Bond Issue and the expenses of bringing the money here will be appropriated within one week.

W. C. ACHI,  
Senator 3rd District.

Senator McCandless moved to amend by adding "not more than \$25,000.00." Senator Achi accepted the amendment which carried.

Senator Baldwin moved that Senate Bill No. 6, entitled "An Act to appropriate money for the purpose of defraying the expenses of Bond Issue and other expenses relating to payment of Fire Claims from the Public Treasury" be taken off the table and put in the regular order of the day. Seconded by Senator Paris and carried.

Senator Kaohi introduced a resolution asking for an appropriation for a road from Pololu to Honokane, Kohala, as follows:

RESOLUTION.

Be it Resolved, That the sum of One Thousand Dollars be inserted in the Appropriation or Loan Bill to repair the Government Road from the gulch of Pololu to Honokane, North Kohala, Island of Hawaii.

SENATOR J. B. KAOHI.

Senator Isenberg moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Kalaokalani and carried.

Senator McCandless introduced the following resolution relating to clerical assistance for the Committee on Public Lands, Internal Improvements, Agriculture, etc.:

RESOLUTION.

Be it Resolved by the Senate of the Legislature of the Territory of Hawaii:

That the Senate Standing Committee on Public Lands, Internal Improvements, Agriculture, etc., is hereby authorized to secure such clerical assistance as is necessary to carry on its general work and various investigations, the expense of the same to be met out of the appropriation for expenses of the Senate.

(Signed) L. L. McCANDLESS,  
Chairman of the Senate Committee on Public Lands,  
Internal Improvements, Agriculture, etc.

Senator Isenberg moved that the resolution be adopted. Seconded by Senator Dickey and carried.



Senator Dickey introduced a bill entitled "Local Option Law."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Isenberg and carried.

Senator Isenberg for the Printing Committee (in the absence of the chairman), reported Senate Bills Nos. 34, 43, 45, 47, 49, 51, 53, 54, 55, 57 and 58 printed and ready for distribution.

Senator Wilcox for the Committee on Health and Education, to whom was referred Senate Bill No. 19, reported as follows:

Honolulu, T. H., March 5, 1903.

HON. C. L. CRABBE,

President of the Senate.

Your Committee on Health and Education, to whom was referred Senate Bill No. 19, entitled "An Act to regulate the practice of dental surgery in the Territory of Hawaii," would report as follows:

We have investigated and find that the bill was introduced by a committee appointed by leading dentists of the Territory, and that such a law is necessary for the health and comfort of the public and to prevent the practice of quacks.

Your committee would recommend that in Section 15, line 5, that the words "or by imprisonment for not less than three or more than six months or by both" be stricken out. With this change, your committee would recommend that the bill pass.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS.  
H. P. BALDWIN.

Senator Achi moved that the report be laid on the table to be considered with the bill. Seconded by Senator Woods and carried.

Senator Wilcox for the Committee on Health and Education, to whom was referred a petition for a new school house at Pearl City, reported as follows:

Honolulu, T. H., March 5, 1903.

HON. C. L. CRABBE,

President of the Senate.

Your Committee on Health and Education, to whom was referred a Petition for a new school house at Pearl City, signed by 45 residents of the District of Ewa, introduced by Senator L. L. McCandless, report as follows:

We find the facts as stated in the Petition are true, and the signers of the above Petition justified in their request. We

also and that the Superintendent of Public Instruction, in his report to the present Legislature, has an item providing for the building of a new school house at Pearl City. As this provides for all the wants requested in the Petition, your committee would recommend the passage of an appropriation for said school as requested by the Superintendent of Public Instruction.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS.  
H. P. BALDWIN.

Senator Dickey moved that the report be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Achi and carried.

Senator Wilcox for the Committee on Health and Education, to whom was referred the Governor's Message relating to appointments on the Boards of Medical and Dental Examiners, reported as follows:

Honolulu, T. H., March 5th, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Health and Education, to which was referred the Message of the Governor, dated February 5th, 1903, submitted nominations, respectfully recommend the confirmation of said nominations as follows:

Board of Medical Examiners:

C. B. Wood, M. D.  
C. L. GARVIN, M. D.  
E. C. Waterhouse, M. D.

Board of Dental Examiners:

W. E. Taylor, M. D.  
M. E. Grossman, D. D. S.  
George H. Huddy, D. D. S.

S. W. WILCOX,  
H. P. BALDWIN.  
PALMER P. WOODS.

Senator Dickey moved that the report of the Committee be adopted by calling the ayes and noes. Seconded by Senator Isenberg.

Senator Achi moved that the question of the Dental Examiners may be questioned separately from the Medical Examiners. Seconded by Senator McCandless and carried.

The Governor's appointments on the Board of Dental Examiners were then carried on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kalaauokalani, Kaiue, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator C. Brown—1.

Senator McCandless, seconded by Senator Woods, moved that the report with reference to the Board of Medical Examiners, be laid on the table. Lost.

The motion to adopt the Governor's appointments on Board of Medical Examiners was then carried on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kalaauokalani, Kaohi, Nakapaahu, Paris and Wilcox—11.

Noes: Senators Kaiue, McCandless and Woods—3.

Not Present: Senator C. Brown—1.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., to whom was referred Senate Bills Nos. 78 and 36, reported as follows:

Senate Chamber,

Honolulu, T. H., March 5, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Public Lands, Internal Improvements, Agriculture, etc., to which was referred Senate Bills Nos. 36 and 78, the same being respectively "An Act to encourage the cultivation of the castor oil plant," and "An Act to encourage the cultivation of pineapples," begs leave to report a substitute Act covering Bills Nos. 36 and 78 and to recommend that the said substitute Act do pass.

Respectfully,

L. L. McCANDLESS,

J. D. PARIS.

J. B. KAOHI,

Committee.. . .

Senator McCandless introduced a bill entitled "An Act to encourage the Cultivation of Pineapples, and the Cultivation of the Castor Oil Plant."

Senator Baldwin moved that the report of the committee be adopted and that the bill pass first reading. Seconded by Senator Dickey and carried.

The Senate proceeded to the order of the day.

Third Reading of Senate Bill No. 5, entitled "An Act to repeal Act 10, Session Laws of 1901, entitled 'An Act relating to the appointment of Bailiffs for certain courts in the Territory of Hawaii, and defining the duties and powers of such Bailiffs and fixing the amount of their compensation, and providing the payment of such compensation.'"

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, McCandless, Paris and Woods—9.

Noes: Senators Kaiue, Kalaauokalani, Kaohi and Nakapahu—4.

Not Present: Senators C. Brown and Wilcox—2.

Third Reading of Senate Bill No. 14, entitled "An Act to amend Section 1, Act 66 of the Session Laws of 1896."

Senator Dickey moved to postpone consideration until tomorrow. Seconded by Senator Baldwin and carried.

Third Reading of Senate Bill No. 29, entitled "An Act to provide for Public Loans."

Senator Isenberg moved to postpone consideration until tomorrow. Seconded by Senator Kaiue and carried.

Senator Achi moved to take up Senate Bill No. 6. Seconded by Senator Isenberg and carried.

Second Reading of Senate Bill No. 6, entitled "An Act to appropriate money for the purpose of defraying the expenses of Bond-Issue and other expenses relating to payment of Fire Claims from the Public Treasury."

Senator Dickey moved to amend by adding after the word "issue" in line 3 of Section 1, the words "authorized by the Congress of the United States." Seconded by Senator Achi and carried.

Senator McCandless moved to amend Section 1 by striking out "Thirty Thousand Dollars (\$30,000.00)" and substituting the words "Twenty Five Thousand Dollars (\$25,000.00)." Seconded by Senator Kalaauokalani and lost.

At 12:02 o'clock Senator Baldwin moved to take a recess until 2 o'clock. Seconded by Senator Isenberg and carried.

## AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

Senator McCandless moved that Senate Bill No. 6 be laid on the table. Seconded by Senator Kalauokalani.

Senator Paris moved that the bill pass second reading. Seconded by Senator Baldwin and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Paris and carried.

Second Reading of Senate Bill No. 76, entitled "An Act to amend Section 42 of Chapter 44 of the Session Laws of 1882, and being also Section 463 of the Penal Laws."

Senator Achi moved that the bill pass second reading. Seconded by Senator Dickey and carried.

Senator Achi moved that the bill be typewritten and read third time tomorrow. Seconded by Senator Kalauokalani and carried.

Third Reading of Senate Bill No. 40, entitled "An Act relating to Larceny, amending Section 15 of Chapter XVI. of the Penal Code as amended by Act 35 of the Laws of 1896 (Penal Laws, Section 132)."

Senator Achi moved that the bill pass third reading. Seconded by Senator Dickey and carried on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators C. Brown and Isenberg—2.

Second Reading of Senate Bill No. 43, entitled "An Act relating to Malicious Injury, amending Section 1 of Act 35 of the Laws of 1896 (Penal Laws, Section 200)." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 45, entitled "An Act to authorize E. C. Winston, his associates and assigns, to construct, maintain and operate a railroad in certain Districts on the Island of Oahu, in the Territory of Hawaii." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 47, entitled "An Act to amend Paragraph 2 of Section 962 of the Penal Laws." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 49, entitled "An Act dedicating and granting to the County of East Hawaii the use of certain lands in the District of Hilo, Island of Hawaii, for

park and other public purposes." Referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Second Reading of Senate Bill No. 51, entitled "An Act providing for the Licensing of Tailoring and Dressmaking Establishments in the Territory of Hawaii." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 53, entitled "An Act to amend Section 1426 of the Civil Code (Section 2009 of the Civil Laws of 1897)." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 54, entitled "An Act relating to Embezzlement, amending Sections 2 and 3 of Chapter XVIII. of the Penal Code (Penal Laws, Sections 158, 159)." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 55, entitled "An Act relating to Burglary, amending Section 5 of Act 38 of the Laws of 1896 (Penal Laws, Section 106)." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 57, entitled "An Act to repeal certain laws relating to the Desertion of Married Persons from one another." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 58, entitled "An Act to amend Sections 5 and 6 of Chapter XLI. of the Laws of 1870 (Penal Laws, Sections 1398, 1399) relating to Industrial and Reformatory Schools." Referred to the Judiciary Committee.

A communication from the Governor informing the Senate of amounts claimed by citizens of Foreign Countries against the Territory on account of treatment under martial law in 1895, was received and read by the clerk as follows:

Honolulu, Mar. 5th, 1903.

HON. C. L. CRABBE,

President of the Senate.

Honolulu, T. H.

Sir:—I have the honor to acknowledge the receipt of the communication from the Senate under date of February 24th, embodying a copy of the resolution of that body asking for information as to the amounts claimed by citizens of foreign countries against the Territory on account of treatment by the Republic of Hawaii under martial law in 1895.

The following is a list of the claims and claimants as far as we have record in the Secretary's office:

E. B. Thomas, British .....	\$	500 00	
C. W. Ashford, British .....		1,400 00	
F. H. Redward, British .....		600 00	
W. F. Reynolds, British .....		700 00	
T. R. Rawlins, British .....		400 00	
G. C. Kenyon, British .....		900 00	
L. J. Levey, British .....		900 00	
M. C. Bailey, British .....		200 00	
F. Harrison, British .....		800 00	
		<hr/>	\$ 6,400 00
Edmund Norrie, Danish .....			
Manuel Gil dos Reis, Portuguese .....	\$	50,000 00	
		<hr/>	\$ 50,000 00
Geo. Lycurgus, Greek .....	\$	75,000 00	
P. C. Camarinos, Greek .....		50,000 00	
		<hr/>	\$ 125,000 00
Total . . . . .			<hr/> \$ 181,400 00

Very respectfully,

SANFORD B. DOLE.

Senator J. T. Brown moved that the communication be referred to the Printing Committee. Seconded by Senator Kaiue.

Senator Achi moved as an amendment that the communication be referred to the Committee on Ways and Means.

Senator J. T. Brown accepted the amendment which carried.

Third Reading of Senate Bill No. 15, entitled "An Act to License the Retail Sale of Malt Liquors."

Senator Dickey moved to postpone consideration until tomorrow. Seconded by Senator McCandless and carried.

Third Reading of Senate Bill No. 41, entitled "An Act relating to Assault and Battery, amending Section 7 of Chapter IX. of the Penal Code, as amended by Act 34 of the Laws of 1896 and adding a new Section to said Chapter IX."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

Noes: Senator Kalanokalani—1.

Not Present: Senator C. Brown—1.

Third Reading of Senate Bill No. 42, entitled "An Act relating to the Receiving of Stolen Goods, amending Section 5 of Chapter XX. of the Penal Code (Penal Laws, Section 174)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator C. Brown—1.

Under suspension of the rules, Senator Achi moved to reconsider the appointments on the Boards of Medical and Dental Examiners. Seconded by Senator McCandless and lost.

At 3:10 o'clock Senator Kalauokalani moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator J. T. Brown and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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FIFTEENTH DAY.

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Friday, March 6th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, C. Brown and Paris absent.

The Journal of the Fourteenth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Achi, approved as read.



A communication from the Secretary of the Governor, acknowledging the receipt of letter confirming the appointments on the Boards of Medical and Dental Examiners, was read by the clerk as follows:

Executive Chamber.

Territory of Hawaii,  
Honolulu, Mar. 5th, 1903.

MR. WILLIAM SAVIDGE,  
Clerk of Senate,  
Honolulu, T. H.

Sir:—I am directed by the Governor to acknowledge the receipt of your letter of this date approved by the President of the Senate and giving notice of the confirmation of members of the Boards of Medical and Dental Examiners as submitted to the Senate by Message.

Very respectfully,

ALEX. G. HAWES, JR.,  
Secretary to the Governor.

Senator Isenberg moved that the communication be accepted and placed on file. Seconded by Senator Paris and carried.

A communication from the clerk of the House of Representatives relating to the passage of Senate Joint Resolutions 3 and 4 was read by the clerk as follows:

Honolulu, T. H., Mar. 5, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith transmit Senate Joint Resolution No. 3, and Senate Joint (Concurrent) Resolution No. 4, both of which having been duly adopted by the House of Representatives this 5th day of Mar., 1903.

Very respectfully,

S. MEHEULA,  
Clerk, H. of R.

Senator Isenberg moved that the communication be received and that the clerk be instructed to notify the Secretary of the Territory of their passage. Seconded by Senator Achi and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported as follows on Senate Bill No. 51:

Honolulu, T. H., Mch. 6th, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions, to which was referred Senate Bill 51, entitled "An Act providing for the licensing of tailoring and dressmaking establishments in the Territory of Hawaii," beg leave to report:

Your committee has considered the bill and recommend that the same pass with the following amendment: That the last words at the close of Section 1, "Twenty-five (\$25.00) Dollars," be stricken out and the words "Twenty Dollars" inserted.

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Achi moved that the report be laid on the table to be considered with the bill. Seconded by Senator Kalanokalani and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., to whom was referred Senate Bill No. 34, reported as follows:

Honolulu, T. H., March 6, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Standing Committee on Public Lands, Internal Improvements, Agriculture, etc., to whom was referred Senate Bill No. 34, being "An Act making special appropriations for the immediate use of the Judiciary Department, the Department of Public Lands, the Department of Public Instruction, the Commission of Public Lands, the Board of Health and Payment of Fire Claims," begs leave to recommend that said Act do pass.

Very respectfully,

L. L. McCANDLESS,  
J. D. PARIS.  
J. B. KAOHI,  
Committee.

Senator Achi moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Kalauokalani and carried.

Senator Isenberg on behalf of the Printing Committee reported Senate Bills Nos. 52, 66 and 69 printed and ready for distribution.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on Senate Bill No. 30 as follows:

Honolulu, T. H., March 6, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Standing Committee on "Public Lands, Internal Improvements, Agriculture, etc.," to which was referred Senate Bill No. 30, being "An Act to authorize and regulate the placing of electric wires in the streets of Honolulu," begs leave to report:

That we find that there is considerable sentiment in favor of placing not only the electric wires of corporations supplying light and power, but also the electric wires of the Territory, of telephone companies and, if practicable, trolley wires, all within the business portions of Honolulu and all cities of the Territory, underground. There are recommendations on the subject by the Electrical Inspector in the service of the Territory. In the estimates of the Superintendent of Public Works we find an item of \$150,000 to be used for the construction in Honolulu of an underground wire conduit, the same to carry such wires as enumerated above, to be under the exclusive control of the Territory and to pay to the Territory a fair revenue. This appears to be sound public policy and we therefore recommend:

That Senate Bill No. 30 be laid on the table to be considered with this item of \$150,000 proposed to be appropriated for the construction of a conduit for the placing of present overhead wires now in use in the city of Honolulu and wires to be hereafter introduced.

Very respectfully,

L. L. McCANDLESS,  
J. D. PARIS.  
J. B. KAOHI,  
Committee.

Senator Paris moved that the report be laid on the table to be considered with the bill. Seconded by Senator McCandless and carried.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 44, 46, 68, 67 and 75 printed and ready for distribution.

Under suspension of the rules, Senator Achi moved that Senate Bill No. 6 be now taken up for consideration. Seconded by Senator Isenberg and carried.

Third Reading of Senate Bill No. 6, entitled "An Act to appropriate money for the purpose of defraying the expenses of Bond Issue and other expenses relating to payment of Fire Claims from the Public Treasury."

Senator Achi offered a substitute bill as an amendment.

Senator C. Brown moved that the bill and amendment of Senator Achi be referred to the Committee on Ways and Means.

Senator C. Brown rises to a point of order as the supposed amendment is a new bill and has only been received today. The chair considered the point well taken.

Senator C. Brown renewed his motion to refer the bill and amendment to the Committee on Ways and Means. Seconded by Senator Kalauokalani and carried.

Senator Achi arises to a point of order as the bill being up for first reading cannot be referred to a committee. The chair rules against Senator Achi, who appealed against the ruling of the chair, which ruling was sustained by a vote of 13 to 1.

The chair then put the motion of Senator C. Brown to refer to the Committee on Ways and Means which carried.

At 11 o'clock Senator Isenberg moved to take a recess until 2 o'clock. Seconded by Senator Achi and lost.

The chair stated that in future before suspending the rules the object must be stated.

Senator Achi gave notice of intention to introduce a bill entitled "An Act relating to the payment of certain Bonds, the issue of which, by the Governor and Secretary of the Territory of Hawaii, has been authorized by Congress."

Under suspension of the rules, Senator Achi introduced the bill, which upon motion of Senator Achi, seconded by Senator McCandless, was read first time by title.

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator McCandless and carried.

Senator J. T. Brown introduced the following resolution relating to an appropriation for the completion of Richardsor Street, Hilo:

## RESOLUTION.

It is Resolved, That a sum of Three Thousand Dollars be separated from the Public Funds or Loan Bill for the purpose of building the Richardson Street, commencing from the Front Street to Volcano Road, in the District of South Hilo, Island and Territory of Hawaii.

6th day of March, 1903.

JOHN T. BROWN,  
Senator from First District.

Senator J. T. Brown moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator C. Brown and carried.

Senator C. Brown gave notice of intention to introduce a bill entitled "An Act to amend certain sections of Act 51 of the Laws of 1896 relating to Internal Taxes."

Senator J. T. Brown introduced a resolution asking for an appropriation for a new school house at Kahaualea, Puna, as follows:

## RESOLUTION.

It is Resolved, That a sum of Eight Hundred Dollars be separated from the Public Funds or Loan Bill for the building of Kahaualea school house, in the District of Puna, Island and Territory of Hawaii.

6th day of March, 1903.

JOHN T. BROWN,  
Senator from First District.

Senator Paris moved that the resolution be referred to the Committee on Health and Education. Seconded by Senator J. T. Brown and carried.

Senator Paris gave notice of intention to introduce a bill entitled "An Act making appropriations for Salaries and Pay Rolls for six months from July 1, 1903, which will end with the 31st day of December, 1903."

Under suspension of the rules, Senator Paris introduced the bill which was, upon motion of Senator Dickey, seconded by Senator Paris, referred to the Printing Committee for translation and printing.

Under suspension of the rules, Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 62 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill 62, beg leave to report that this Act amends the

law relating to the giving of notice by publication in legal matters pending and where publication is necessary or becomes necessary by reason of absence or out of the jurisdiction of the Court or Territory.

Under existing law in some cases publication had to be made in a newspaper designated by name; some of these newspapers had ceased to be published, and the statutory publication necessary could not be made. This Act amends the existing law so as to permit publication in any appropriate newspaper of general circulation.

The Act amends all existing laws, and recommends the insertion of the words "in a newspaper or newspapers suitable for the advertisement of notices of judicial proceedings"; we recommend adding thereto the following words, "or in such other newspapers as may be declared by the Supreme Court to be of general circulation and suitable for such purpose."

With this amendment we recommend the passage of the Bill.

Honolulu, March 6th, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator C. Brown moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Paris and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 32 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 32, authorizing the appointment of a Commission to compile the Statute Laws of the Territory, report that in their opinion this Act is as important as any that is now or may come before this Legislature at this session. The Chief Justice on pages 2, 3 and 4 of his report comments on the state of the laws, and that no compilation has been made since 1859 and 1869; the former date being the compilation of the Civil Laws, the latter that of the Penal Laws. Great changes have taken place since those years, and in the opinion of this Committee it is about time that a new compilation should be authorized and made in order that same be submitted to the next Legislature.

The report of the Chief Justice is exhaustive on this subject, and we beg to refer the Senate to that report. The Act

is explicit and prescribes the duties of the Commissioners, and that they be appointed by the Governor with the consent of the Senate. In Section 18 of the Act must be inserted an amount of money to defray all expenses of the Commission.

We recommend that the Bill pass.

Honolulu, March 6th, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator Paris moved that the report be laid on the table to be considered with the bill. Seconded by Senator C. Brown and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 59 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 59, beg leave to report that this Act amends Section 18 of Chapter 29 of the Penal Code, being Penal Laws. Section 257, repeals Sections 2 and 3 of Chapter 42 of the Session Laws of 1888, and adds a new section to Chapter 29 covering constructive contempt, and providing that the particular circumstances of the offense of contempt shall be fully set forth in the judgment, so that everything may appear in case of appeal, review, etc., etc.

The amendment reduces the term of imprisonment that may be inflicted by the Supreme and Circuit Courts as follows:

In the Supreme Court from three months to sixty days.

In the Circuit Court not exceeding thirty days; under existing law it might be sixty days.

As amended it also limits the term of imprisonment to not later than the expiration of the time for which the Court or Judge or other person or tribunal imposing the fine could have sentenced such person to imprisonment under the provisions of the Section. This Act carries out one of the recommendations of the Chief Justice and was prepared by the Bar Association.

We recommend its passage.

Honolulu, March 6th, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator Paris moved that the report of the committee be adopted. Seconded by Senator J. T. Brown and carried.

Senator Dickey moved that the bill be typewritten and made the order of the day tomorrow. Seconded by Senator Isenberg and carried.

Senator C. Brown for the same committee reported as follows on Senate Bill No. 63:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 63, beg leave to report that this Act amends the law relating to guardians and wards, and is a part of the following out the recommendations of the Chief Justice to the Legislature, was prepared by the Bar Association Committee on the subject of amendments needed and necessary to existing laws.

We think the recommendations should be carried out and recommend the passage of the Bill.

Honolulu, March 6th, 1903.

Respectfully submitted,

CECIL BROWN,

W. C. ACHI,

PALMER P. WOODS.

Senator Woods moved that the report be adopted. Seconded by Senator Kalauokalani and carried.

Senator C. Brown for the same committee reported on Senate Bill' No. 64 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 64 to abolish estates in joint tenancy and by entirety, except in cases where a contrary intention manifestly appears, or in the case of grants and devisees to executors or trustees, beg leave to report that they have had the same under consideration. This Bill is following out the era of progress of the present day in the ownership of real property and has the recommendation of the Chief Justice, and Bar Association.

We recommend the passage of the Bill.

Honolulu, March 6th, 1903.

Respectfully submitted,

CECIL BROWN,

W. C. ACHI,

PALMER P. WOODS.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Woods and carried.



Senator C. Brown for the same committee reported on Senate Bills Nos. 60, 61 and 39 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bills Nos. 39, 60 and 61, beg leave to report that they have had same under consideration.

These Bills are some of those introduced to carry out the suggestions of the Chief Justice in his report to the Legislature, and are all necessary to carry out.

Under existing law the terms "felony" and "crime" are synonymous, and include all offenses punishable with death or more than two years' imprisonment and offenses where the penalty is two years' imprisonment or under a misdemeanor.

Act 39 uses the word or term "felony" and defines it to be an offense punishable with death or imprisonment for a longer period of one year, and makes every offense not a felony a misdemeanor. This amendment will relieve the Grand Jury of a lot of unnecessary work and expense as offenses where the imprisonment is less than one year can be heard before the District Magistrates.

We recommend Act 39 pass.

Act 60 pertains to the waiver of jury in criminal cases other than capital cases. Under existing law such right is conferred in criminal cases on appeal from District Magistrates. The Chief Justice says the law now on the Statute Books is of doubtful constitutionality, and recommends that the waiver of jury should be limited to cases other than felony, and not be confined to cases appealed from the District Court. The Act introduced carries out the recommendation, and repeals the law thought to be unconstitutional.

We recommend Act 60 pass.

Act 61 pertains to criminal jurisdiction of District Magistrates, and was introduced in consequence of the recommendations of the Chief Justice and Bar Association of this Territory. The object of the Bill cannot be better explained than by referring this Honorable Body to page 22 of the Report of the Chief Justice of the Supreme Court to this Legislature.

We recommend that the Act pass with this amendment: that that portion thereof that amends Section 463 of the Penal Laws be stricken out of the Bill. The reason of this recommendation being that this Committee introduced a substitute Bill to that introduced by Senator Kalaauokalani repealing this

section, which substitute Bill has been passed or is now before the Senate for consideration.

With this amendment we recommend the Bill pass.

Honolulu, March 6th, 1903.

Respectfully submitted,

CECIL BROWN,

W. C. ACHI,

PALMER P. WOODS.

Senator Dickey moved that the report be adopted as to Bills Nos. 39 and 60 and laid on the table to be considered with the bill as to Bill No. 61. Seconded by Senator Paris and carried.

Senator Achi moved that Senate Bills Nos. 39 and 60 be read third time tomorrow. Seconded by Senator Paris and carried.

Under suspension of the rules, Senator C. Brown reported for the Printing Committee that Senate Bill No. 56 and the Supplementary Message of the Governor had been printed and distributed.

The Senate proceeded with the order of the day.

Second Reading of House Bill No. 84, entitled "An Act to adopt a Flag for the Territory of Hawaii."

Senator Baldwin moved that the bill pass second reading. Seconded by Senator Isenberg and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Isenberg and carried.

Second Reading of Senate Bill No. 81, entitled "An Act to encourage the Cultivation of Pineapples and the Cultivation of the Castor Oil Plant."

Senator Achi moved to strike out all of Section 1 after the word "taxes." Seconded by Senator Isenberg and lost.

Senator Baldwin moved that the bill pass second reading. Seconded by Senator Dickey and carried.

At 11:45 o'clock Senator C. Brown moved to take a recess until 2 o'clock. Seconded by Senator Kalauokalani.

Senator Kaohi moved as an amendment to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Kaiue.

The chair then put the amendment to adjourn until 10 o'clock tomorrow morning which resulted in a tie vote of 7 to 7, the chair voting against the amendment.

The motion to take a recess until 2 o'clock was then put and resulted in a tie vote of 7 to 7, the chair voting in favor of the motion.

## AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

Second Reading of Senate Bill No. 80, entitled "Local Option Law." Referred to the Committee on Miscellaneous Petitions.

Third Reading of Senate Bill No. 29, entitled "An Act to provide for Public Loans."

Senator McCandless moved to amend line 3 of Section 1 by striking out the word "five" and substituting the word "one." Seconded by Senator Paris.

After considerable discussion, Senator Achi moved the previous question. Seconded by Senator Isenberg and carried.

The Chair then put the amendment of Senator McCandless, which was lost.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, Paris, Wilcox and Woods—13.

Noes: Senator McCandless—1.

Not Present: Senator Nakapaahu—1.

Under suspension of the rules, Senator Baldwin reported for the Committee on Ways and Means on Senate Bill No. 6 as follows:

Honolulu, T. H., March 6, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Committee to whom was referred Senate Bill No. 6, an Act entitled "An Act to appropriate money for the purpose of defraying expenses of Bond Issue and other expenses relating to payment of Fire Claims from the Public Treasury," beg leave to report that we have had same under consideration.

We recommend that the title be amended so as to read as follows: An Act to appropriate money for the purpose of defraying expenses in connection with the Fire Claims and their payment.

We would recommend that Section 1 be amended so as to read as follows:

Section 1. There is hereby appropriated the sum of Thirty Thousand Dollars (\$30,000.00), or as much thereof as may be necessary, from the Public Treasury, to be paid out of the general revenue of the Territory for the period commencing

with the date of approval of this Act, and ending with the 30th day of June, 1905, for the purpose of defraying the expenses of the Fire Claims Commissioners, and the preparation, issuance and sale of bonds for the partial payment of the Fire Claims, and any other proper expenses relating to the Fire Claims.

We would also recommend Section 2, so that it would read as follows:

Sec. 2. The Auditor is hereby authorized to issue warrants under this appropriation, on vouchers properly certified, and approved by the Secretary of the Territory, for the purposes provided in this Act.

Respectfully submitted,

H. P. BALDWIN.

J. D. PARIS.

S. E. KAIUE.

Senate Bill No. 6, entitled "An Act to appropriate money for the purpose of defraying the expenses of Bond Issue and other expenses relating to payment of Fire Claims from the Public Treasury," as amended, then passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, McCandless, Paris, Wilcox and Woods—12.

Noes: Senators Kalauokalani, Kaohi and Nakapaahu—3.

Third Reading of Senate Bill No. 76, entitled "An Act to amend Section 42 of Chapter 44 of the Session Laws of 1882 and being also Section 463 of the Penal Laws."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Third Reading of Senate Bill No. 14, entitled "An Act to amend Section 1, Act 66 of the Session Laws of 1896"

Senator Dickey moved to amend by adding "the first Monday in September known as Labor Day." Seconded by Senator Isenberg and carried.

The bill passed third reading, as amended, on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Third Reading of Senate Bill No. 15, entitled "An Act to License the Retail Sale of Malt Liquors."

Senator C. Brown moved that the bill be referred back to the Committee on Miscellaneous Petitions. Seconded by Senator Isenberg and carried.

Second Reading of Senate Bill No. 50, entitled "An Act to regulate the Practice of Medicine and Surgery in the Territory of Hawaii and for the appointment of a Board of Medical Examiners."

Senator Wilcox moved that the bill be referred to the Committee on Miscellaneous Petitions. Seconded by Senator Isenberg.

Senator Achi moved as an amendment to refer to the Committee on Health and Education. Seconded by Senator Baldwin.

The chair put the amendment to refer to the Committee on Health and Education which was lost on a tie vote of 7 to 7, the chair voting against the amendment.

The motion to refer to the Committee on Miscellaneous Petitions then carried on a vote of 7 to 5.

Second Reading of Senate Bill No. 75, entitled "An Act providing for the redemption of property sold under Mortgage."

Senator Dickey moved to refer to the Judiciary Committee. Seconded by Senator McCandless.

Senator Achi moved as an amendment to refer the bill to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Woods.

The chair then put the amendment which was lost, the motion to refer to the Judiciary Committee carrying.

Second Reading of Senate Bill No. 44, entitled "An Act to prevent the Wanton Destruction of the Food Fishes living in the Waters of the Territory."

Senator McCandless moved that the bill pass second reading and be read third time tomorrow. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 68, entitled "An Act to amend Section 812 of Chapter 59 of Laws relating to Internal Taxes and add a new Section called Section 812A." Referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 67, entitled "An Act to authorize the Appointment of a Fish Commissioner and to define his duties and powers."

Senator Baldwin moved that the bill be read section by section. Seconded by Senator Dickey and carried.

Section 1. Senator Baldwin moved that the section pass as read. Seconded by Senator Isenberg and carried.

Section 2. Senator Dickey moved to amend by erasing the letter "s" on the end of the word "conditions" and to insert the word "to" after the word "Territory." Seconded by Senator Baldwin and carried.

Senator Dickey moved that the section pass as amended. Seconded by Senator Isenberg and carried.

Section 3. Senator Baldwin moved to strike out all of line 3 after the word "Fisheries." Seconded by Senator Kalauokalani and carried.

Senator Dickey moved that the section pass as amended. Seconded by Senator Kalauokalani and carried.

Section 4. Senator Isenberg moved that the section pass as read. Seconded by Senator Woods and carried.

Senator Achi moved to reconsider Section 1. Seconded by Senator Kalauokalani and carried.

Senator Achi moved to amend by inserting the words "for the term of four years" after the word "Commissioner." Seconded by Senator Kalauokalani and carried.

Senator Isenberg moved that the section pass as amended. Seconded by Senator Kalauokalani and carried.

Section 5. Senator Dickey moved to amend by substituting the word "approval" for the word "publication." Seconded by Senator Achi and carried.

Senator Dickey moved that the section pass as amended. Seconded by Senator Kalauokalani and carried.

Senator Dickey moved that the title pass as read. Seconded by Senator Baldwin and carried.

Senator Isenberg moved that the bill pass second reading and be read third time tomorrow. Seconded by Senator Woods and carried.

Second Reading of Senate Bill No. 52, entitled "An Act relating to the Felonious Branding of Cattle, amending Section 1 of Chapter XXV. of the Penal Code (Penal Laws, Section 215)."

Senator Isenberg moved to amend by adding the word "donkey" after the word "horse" in lines 4 and 8 of Section 1. Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Dickey and carried.

Senator C Brown moved that the bill be read third time on the 9th of March. Seconded by Senator Woods and carried.

Second Reading of Senate Bill No. 69, entitled "An Act relating to the Exemption of certain Personal Property from Attachment, Execution, Distress and Forced Sale of every nature and description, repealing Sections 2, 3, 4, 5, 6, 7, 8, of Act 9 of the Session Laws of 1901, approved the 26th day of April, 1901, and to add seven new sections to be called Sections 2a, 3a, 4a, 5a, 6a, 7a and 8a of Act 9 of the Session Laws of 1901." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 66, entitled "An Act relating to Criminal Practice and Procedure, amending Chapter XL. of the Laws of 1876, entitled 'An Act to regulate the Practice and Procedure in Criminal Cases' by amending Sections 1, 2, 3, 5, 15, 38, 48, 54, 65, 68 and 73 and repealing Sections 4, 9 and 26 thereof, and adding two new sections thereto, and repealing Section 4 of Chapter II, Section 1 of Chapter XLVIII. and Section 5 of Chapter XLVI. of the Penal Code, Act 38 of the Laws of the Provisional Government, and Section 10 of an Act of July 27, 1866." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 46, entitled "An Act to amend Section 14 of Chapter 23 of the Session Laws of 1884, also being Section 2070 of the Civil Laws of the Territory of Hawaii as set forth in a compilation made by Sidney M. Ballou." Referred to the Committee on Public Expenditures.

A communication from the Governor's Secretary acknowledging the receipt of Joint and Concurrent Resolutions was read by the clerk as follows:

#### JOINT AND CONCURRENT RESOLUTION.

Executive Chamber.

Territory of Hawaii,  
Honolulu, Mar. 6th, 1903.

MR. WILLIAM SAVIDGE,  
Clerk of the Senate,  
Honolulu, T. H.

Sir:—I am directed by the Governor to acknowledge the receipt of your letter of the 5th inst. enclosing a Joint Resolution and a Concurrent Resolution, which were adopted by the Legislature of the Territory.

Very respectfully,

ALEX. G. HAWES, JR.,  
Secretary to the Governor.

Senator Isenberg moved that the communication be received and placed on file. Seconded by Senator Woods and carried.

The President here called the Vice President to the chair.

Under suspension of the rules, Senator Crabbe gave notice of intention to introduce a bill entitled "An Act to provide for the Incorporation and Government of Cities within the Territory of Hawaii."

Senator Crabbe introduced the bill which, on motion of Senator Kalauokalani, seconded by Senator Crabbe, passed first reading and was referred to the Printing Committee for translation and printing.

At 3:40 o'clock Senator J. T. Brown moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Kalauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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## SIXTEENTH DAY.

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Saturday, March 7th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Baldwin and C. Brown absent.

The Journal of the Fifteenth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Nakapaahu, approved as read.

Senator Dickey for the Committee on Miscellaneous Petitions to whom was referred Senate Bill No. 57 reported as follows:



Honolulu, March 7th, 1903.

HON. CLARENCE CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions, to which was referred Bill No. 57, entitled "An Act to repeal certain laws relating to the desertion of married persons from one another," begs leave to report:

The bill is a good one, as its purpose is to repeal laws which are a blot on the statute books of an advanced and civilized community. The laws as they now stand give District Magistrates equity powers unheard of in the jurisprudence of the civilized world and are considered by many to be of doubtful constitutionality.

Your committee recommends that the bill pass with the following amendments:

Erase the number "XXXIV" in line 1, Section 1, and insert the number "XXXVI" and to strike out the words "Chapter LXIX of the Laws of 1888" in line 2 of same section.

The latter Chapter is already repealed by the session laws of 1890.

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Achi moved that the report be adopted. Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the bill be read third time on Monday. Seconded by Senator Achi and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., to whom was referred Senate Bill No. 49, reported as follows:

Honolulu, T. H., March 7, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Standing Committee on "Public Lands, Internal Improvements, Agriculture, etc.," to whom was referred Senate Bill No. 49, the same being "An Act dedicating and granting to the County of East Hawaii, the use of certain lands in the District of Hilo, Island of Hawaii, for park and other public purposes," begs leave to report upon the bill en-

dorsing in general the setting aside of lands for parks and recreation places, but to recommend that as the County of East Hawaii has not yet been created and that on that account said Act is perhaps premature under this date, consideration of the said Act be postponed until after disposition of proposed legislation to create counties and city municipalities and that said Senate Bill No. 49 be laid upon the table to be considered with county and municipal bills to come before this body later.

Very respectfully,

L. L. McCANDLESS,  
J. D. PARIS.  
J. B. KAOHI,  
Committee.

Senator Dickey moved that the report be laid on the table to be considered with the County Bill. Seconded by Senator C. Brown and carried.

Senator Dickey for the Committee on Miscellaneous Petitions to whom was referred the resolution introduced by Senator Achi relating to the Occidental Hotel's application for a liquor license reported as follows:

Honolulu, March 7, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions, to which was referred a resolution providing for inquiry into the reasons why a license to sell intoxicating liquors had not been granted to the Occidental Hotel have had the same under consideration, and beg leave to report:

Licenses are issued at the discretion of the Treasurer according to the present law and there is no appeal from his decision. The Occidental Hotel has applied for a license several times, as we learn from the proprietor, but your committee have found but one regular application having been made during the past two years. This was on July 1st, 1901. A license was refused by the Treasurer by the advice of the Governor and the heads of departments on the ground that the Occidental Hotel was outside of the limits established by the Treasurer within which liquor licenses should be issued.

We find that liquor licenses have been issued to hotels outside of the said limits, but in all cases to those having their bars at a point not readily accessible from the street and therefore patronized principally by guests of the hotel.

Licenses have been refused to small hotels abutting directly upon the street on the ground that such saloons would be patronized by the general public and the risk of disturbance of the peace and quiet of the neighborhood thereby increased.

Your committee recommends that the resolution be laid on the table to be taken up later if a bill granting hotels a license to sell intoxicating liquors shall be introduced.

Respectfully submitted,

C. H. DICKEY,  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 21, 70 and 74 printed and ready for distribution.

Senator Paris introduced a bill entitled "An Act to amend Section 1 of Act 12 of the Session Laws of 1898, entitled 'An Act to encourage the cultivation of Coffee and Ramie.'"

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Paris and carried.

Senator McCandless offered the following resolution asking that appropriations be inserted in the Appropriation or Loan Bills for the Districts of Ewa and Waianae:

#### SENATE RESOLUTION.

Honolulu, T. H., March 7, 1903.

Be it Resolved, by the Senate of the Second Legislative Assembly of the Territory of Hawaii:

That provision be made in the Current Appropriation and Loan Act Appropriation Bills for necessary public improvements in the Districts of Ewa and Waianae as recommended in the attached report of the Road Board for the Districts of Ewa and Waianae.

Respectfully,  
L. L. McCANDLESS.

Your Road Board recommend that these bridges be replaced by stone and concrete bridges. Throughout the district we have unlimited quantities of material in the way of stone which will be suitable for this work. We call your especial at-

tention to the following streams, which, for necessity's sake, require that new bridges be installed within the period of eighteen months. None of these bridges would be extensive in their construction. We ask that all of the bridges be constructed to a uniform width of eighteen or twenty feet. We refer especially to the bridges crossing Halawa Stream, Alea, Kalauao, Waimalu, Waiawa, two bridges in Honouliuli, and one in Waianae. We advocate stone bridges because of the unlimited quantity of material we have at hand in these streams and because of the permanency of the construction and also because of there being sufficient labor in the district that is desirous of work which could perform this class of work, and further because we believe a stone and concrete bridge to be a cheaper bridge than a steel bridge, all things considered. The two steel bridges erected in this district by means of special appropriations at Waipahu and Kipapa are in good condition, but they require constant attention.

We estimate the following sums of money for the several bridges as an outlay for the complete construction of the same:

Halawa No. 1 . . . . .	\$ 960 18
Halawa No. 2 . . . . .	1,086 75
Alea . . . . .	2,448 00
Kalauao . . . . .	1,907 70
Waimalu . . . . .	1,942 00
Waiawa . . . . .	3,426 20
Honouliuli No. 1 . . . . .	972 25
Honouliuli No. 2 . . . . .	998 10
Waianae . . . . .	1,950 12
<hr/>	
Total for bridges . . . . .	\$ 15,691 30

In addition to this we beg further to request a special appropriation to assist in the macadamizing of the road throughout the district. We would advise you that the present work of macadamizing is necessarily slow work on account of the limited funds to the credit of the Road Board. We believe, in addition to the sum requested as an appropriation for the reconstruction of our bridges to that of stone and concrete we should have at least an appropriation of \$50,000 for macadamizing of roads.

We also need a steam roller for the macadam work and ask a special appropriation for the purchase of a seven or eight-ton steam roller.

We further ask a special appropriation of \$2,500 for macadamizing the Puuloa road from the beach to the railroad depot. Also a special appropriation of \$800.00 for a road from Alea to the Alea railroad depot, also a special appropriation of \$400.00 for the construction of a road from the

Government road to the railroad depot at Kalauao. We beg further to ask for an appropriation of \$2,000.00 for the clearing out and building up of the Makua Trail. This is not a wagon road, but owing to the want of funds the Road Board have during the past two years been unable to expend much money in its repair. Consequently through heavy winters and falling of rocks the road has been washed and at times filled with debris and considerable work is necessary to re-define and improve it even as a horse trail. The far end of same your Road Board do not recommend improving, as it is so difficult to care for on account of falling rocks, and is unnecessary to the Waianae and Waialua travelers, they having the trail through the pass at Mikilua.

Respectfully submitted,

EWA AND WAIANAE ROAD BOARD.

Your attention is called to the urgent necessity of an appropriation for the construction of a Government school house at Kalauao.

Senator C. Brown moved that the resolution be laid on the table to be considered with the Appropriation Bill. Seconded by Senator J. T. Brown and carried.

Senator C. Brown introduced a bill entitled "An Act to amend Sections 2, 29, 51, 55, 57, 58, 70, 71, 72 and 79 of Act 51 of the Session Laws of 1896, and being also Sections 805, 832, 854, 860, 861, 873, 874, 875 and 882 of the Civil Laws relating to Internal Taxes."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalanokalani and carried.

Senator Dickey gave notice of intention to introduce a bill entitled "An Act to regulate the manner of giving notices of meetings of Boards of Registration."

Under suspension of the rules, Senator Dickey introduced a bill entitled "An Act to regulate the manner of giving notices of meetings of Boards of Registration."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalanokalani and carried.

Senator Achi gave notice of intention to introduce an instrument to repeal Rule 52.

The Senate proceeded with the order of the day. . .

Third Reading of House Bill No. 84, entitled "An Act to adopt a Flag for the Territory of Hawaii."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: Senator Kaohi—1.

Not Present: Senators Baldwin and Isenberg—2.

Third Reading of Senate Bill No. 39, entitled "An Act to amend Section 2 of Chapter 1 of the Penal Code (Penal Laws, Section 3) defining Felonies and Misdemeanors."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Baldwin and Isenberg—2.

Third Reading of Senate Bill No. 44, entitled "An Act to prevent the Wanton Destruction of the Food Fishes living in the waters of the Territory."

Senator Dickey moved to amend line 3 of Section 4 by striking out the words "not less than \$20." Seconded by Senator Wilcox and lost.

Senator Achi moved to amend Section 4 by striking out the words "before any District Magistrate." Seconded by Senator C. Brown and carried.

Senator Kalauokalani moved to postpone consideration until next Wednesday. Seconded by Senator Woods and carried.

Under suspension of the rules, Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 47 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 47, report that the object of the Bill is to take away from the Governor and place with the Senate the approval required by Section 11 of Act 50 of the Laws of 1896, and being Section 962 of the Penal Laws, to the rules and regulations made by the Board of Health, which rules and regulations after their approval and publication have the force and effect of law.

We do not think that Bill should pass, for the reason that at some time when the Senate was not in session exigencies might arise that required immediate action and the promul-

gation of new rules and regulations, these rules and regulations, if this Act should pass, would be useless and of no force and effect, not having had the approval of the Senate.

It would be too expensive and impracticable to call a special session for the purpose solely of approval.

We therefore recommend that the Bill be laid on the table.  
Honolulu, March 7th, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Paris and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 54, as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 54, being an Act relating to embezzlement amending Sections 2 and 3 of Chapter 18 of the Penal Code, they being Sections 158 and 159 of the Penal Laws, beg leave to report as follows:

The law now fixes the punishment for embezzlement from the Territory at hard labor for life or any number of years, and in effect by its wording applied only to Territorial officers, the amendment to Section 159 makes any officer or employee of any political or municipal corporation or subdivision of the Territory amenable as well, and reduces the punishment to not more than ten years' imprisonment or by fine not exceeding five times the value of the thing or property embezzled. The amendment to Section 159 reduces the term of imprisonment where the value of the property or thing embezzled is of the amount of \$20 and less than \$100 from imprisonment for not more than five years to not more than one year with a fine increased from Three Hundred to Five Hundred Dollars; and if less than twenty dollars from imprisonment for not more than one year to not more than six months, or a money penalty increased from \$50 to not exceeding \$100. We think the amendments should be made, and therefore recommend the passage of the Act.

Honolulu, March 7th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI,

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Paris and carried.

Senator Dickey moved that the bill be read third time on Monday. Seconded by Senator C. Brown and carried.

Senator C. Brown for the same committee reported as follows on Senate Bills Nos. 43 and 55:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 43, being an Act relating to malicious injuries, report that the only object of the Act is to amend the law from what it now is, so that the imprisonment shall not exceed one instead of two years. We recommend that it pass.

Senate Bill No. 55 is to amend Section 5 of Act 38 of the Laws of 1896, being Section 106 of the Penal Laws and relates to the punishment for burglary in the first and second degrees. Under existing law the punishment in the first degree is for life, or any number of years; the amendment proposed makes the punishment for not longer than twenty years. In the second degree the punishment now is for a term not more than twenty years; the amendment makes the punishment not to exceed ten years.

We believe the amendments should be made, and recommend the passage of the Act.

Honolulu, March 7th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Paris and carried.

Senator Dickey moved that the bills be read third time on Monday. Seconded by Senator C. Brown and carried.

At 11:15 o'clock Senator Achi moved to adjourn until Monday at 10 o'clock. Seconded by Senator Kalaauokalani and lost.

Senator C. Brown for the same committee reported as follows on Senate Bill No. 58:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 58, which is an Act to amend Sections 1398 and



1399 of the Penal Laws, and being Sections 5 and 6 of Chapter 41 of the Laws of 1870, report that the Act relates to the Industrial and Reformatory Schools and the object is to permit the Circuit Court and Circuit Judges to commit juvenile offenders to the Reformatory School. It is reported that at a recent term of the Circuit Court on this Island, that there were some 16 cases in which the offenders were under 14 years of age, and under the law as it now stands on the Statute Book, if the offenders had been convicted in the Circuit Court, they would have been sent to jail, or the sentence suspended. The law now only gives the District Magistrate the power of committal. This Act adds the Circuit Court and its Judges. We think the amendment necessary and proper, and therefore recommend the passage of the Bill.

Honolulu, March 7th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI,

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Paris and carried.

Senator Dickey moved that the bill be read third time on Monday. Seconded by Senator Paris and carried.

Senator C. Brown for the same committee reported as follows on Senate Bill No. 66:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 66, beg leave to report that they have had the same under consideration.

This Act relates to criminal procedure and amends the law so as to apply to cases which must be tried by jury in the first instance. The amendments set forth in the Act are made necessary by reason of our changed conditions, and also provide for other necessary amendments carrying out the same object. The amendment to Sections 652 and 662 of the Penal Laws alters the procedure should the prisoner be insane or thought so to be, or is proved to be.

We recommend the passage of the Act.

Honolulu, March 7th, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator Dickey moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator McCandless and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 53 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir.—The Judiciary Committee, to whom was referred Senate Bill No. 53, being an Act to amend Section 1426 of the Civil Code, and Section 2009 of the Civil Laws, report:

That the Act in question proposes to amend the existing corporation law by inserting in the section named the power of corporations to hold stock in other corporations, as well as to mortgage its property to secure any debt it may owe. Our corporation law has not these provisions in it, but every Charter granted has had them as a rule inserted, and it is deemed better and to settle any question that might possibly arise on this subject, that the amendment should be made. We therefore recommend the passage of the Bill.

Honolulu, March 7th, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator McCandless and carried.

Senator C. Brown moved that the bill be read third time on Monday. Seconded by Senator Dickey and carried.

Third Reading of Senate Bill No. 59, entitled "An Act relating to Contempts, amending Section 18 of Chapter XXIX. of the Penal Code, adding a new Section to said Chapter, and repealing Sections 2 and 3 of Chapter XLII. of the Laws of 1888."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators C. Brown, J. T. Brown, Crabbe, Dickey, Kaine, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: Senator Isenberg—1.

Not Present: Senators Achi and Baldwin—2.

Third Reading of Senate Bill No. 60, entitled "An Act relating to Waiver of Trial by Jury in Criminal Cases less than Felony."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapahu, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Achi and Baldwin—2.

Third Reading of Senate Bill No. 63, entitled "An Act relating to Guardians and Wards."

Senator McCandless moved that the bill be referred back to the Judiciary Committee. Seconded by Senator Paris and carried.

Third Reading of Senate Bill No. 64, entitled "An Act to abolish Estates in Joint Tenancy and by Entirety, except in certain cases."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapahu, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Achi and Baldwin—2.

Third Reading of Senate Bill No. 67, entitled "An Act to authorize the Appointment of a Fish Commission and to define his duties and powers."

Senator Isenberg moved to postpone consideration until Monday. Seconded by Senator Woods and carried.

Third Reading of Senate Bill No. 81, entitled "An Act to encourage the Cultivation of Pineapples and the Cultivation of the Castor Oil Plant."

Senator Woods moved to postpone consideration until Monday. Seconded by Senator J. T. Brown and carried.

Second Reading of Senate Bill No. 34, entitled "An Act making Special Appropriations for the immediate use of the Judiciary Department, the Department of Public Works, the Department of Public Instruction, the Commission of Public Lands, the Board of Health and Payment of Fire Claims."

Senator C. Brown moved to consider section by section. Seconded by Senator McCandless and carried.

Section 1. Senator Dickey moved to strike out "Fire Claims \$25,000.00." Seconded by Senator Paris and carried.

Senator C. Brown moved to substitute "Attorney General's Department, Civil and Criminal Incidentals, \$1,200.00." Seconded by Senator Dickey and carried.

Senator Isenberg moved to amend by adding after line 6, line 6a, as follows: "For widening, straightening and grading the Waialae Road from Kamoiliili to the crest of Kaimuki ridge, \$13,000.00." Seconded by Senator Dickey.

Senator McCandless moved as an amendment to substitute "\$8,000.00" in place of "\$13,000.00." Seconded by Senator Dickey.

The chair then put the motion of Senator Isenberg which carried.

Senator Dickey moved that the section pass as amended. Seconded by Senator Isenberg and carried.

Section 2. Senator C. Brown moved that the section pass as read. Seconded by Senator Isenberg and carried.

Section 3. Senator C. Brown moved that the section pass as read. Seconded by Senator Isenberg and carried.

Section 4. Senator C. Brown moved that the section pass as read. Seconded by Senator Isenberg and carried.

Section 5. Senator Dickey moved that the section pass as read. Seconded by Senator C. Brown and carried.

Senator Dickey moved to reconsider Section 2. Seconded by Senator Paris and carried.

Senator Dickey moved to amend line 3 of section 2 by adding after the word "necessary" the words "except in the District of Kona." Seconded by Senator Wilcox and carried.

Senator McCandless moved that the section pass as amended. Seconded by Senator Dickey and carried.

Senator Dickey moved to amend the title by striking out "Payment of Fire Claims" and inserting "Attorney General's Department." Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the title pass as amended. Seconded by Senator Dickey and carried.

Senator Dickey moved that the bill pass second reading as amended. Seconded by Senator Paris and carried.

Senator C. Brown moved that the bill be read third time on Monday. Seconded by Senator Dickey and carried.

At 12:05 o'clock Senator J. T. Brown moved to adjourn until 10 o'clock Monday. Seconded by Senator Kalauokalani.

Senator McCandless moved as an amendment to take a recess until 2 o'clock this afternoon. Seconded by Senator C. Brown.

The chair then put the amendment to take a recess until 2 o'clock this afternoon which was lost.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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SEVENTEENTH DAY.

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Monday, March 9th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, J. T. Brown and Nakapaahu (reported sick) absent.

The Journal of the Sixteenth Day was read.

The chair stated that the Senate was without an Interpreter owing to the resignation of Mr. John E. Bush.

Senator Achi moved that Mr. Eli Crawford be appointed Temporary Interpreter. Seconded by Senator Isenberg.

Mr. Crawford not being in attendance, the Journal was interpreted by Senator Achi and, upon motion of Senator Kaohi, seconded by Senator Kaiue, approved as read.

Senator C. Brown presented a petition from tax payers and merchants of Honolulu praying that the Government take over the Pahoa Water Works.

The petition was referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Senator Baldwin presented a petition from residents of Keanae, Maui, praying that Wailuku be made the county seat.

The petition was referred to the Special Committee on County Bill.

Senator Wilcox for the Committee on Health and Education reported as follows on the matter of an appropriation for a teacher for lace-making:

Honolulu, T. H., March 9, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Your Committee on Health and Education, to whom was referred a petition asking for an additional appropriation of \$1,000.00 for rent and equipment of a room to carry on instruction in lace-making, has had the petition under consideration. Your Committee finds that the Superintendent of Public Instruction in his Report concerning the Reform School for Girls has recommended the appropriation of \$3,000.00. \$2,000.00 of which is for teacher's pay, and \$1,000.00 for supplying material needed for teaching this industry. The \$1,000.00 requested in the petition is in addition to this amount asked for in the Report, and is for the rent and equipment of a room in town, in order to allow the same teacher to teach other classes in the city. Your committee finds that this request is approved of by the Superintendent of Public Instruction, and at a minimum cost will secure a great advantage to pupils residing in this city, and therefore would recommend that the amount asked for in the petition be appropriated.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS,  
H. P. BALDWIN.

Senator Wilcox moved that the report of the committee be laid on the table to be considered with the Appropriation Bill. Seconded by Senator C. Brown and carried.

Senator Wilcox for the same committee reported as follows on the appropriation asked for a new school-house at Lawai, Kauai:

Honolulu, T. H., March 9, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Your Committee on Health and Education, to whom was referred a Resolution asking that the Committee on Health and Education look into the matter of a new school house and

teachers' cottage at Lawai, Island of Kauai, beg leave to report that they find that the Superintendent of Public Instruction, in his Report to the present Legislature, has recommended the appropriation of \$1,600.00 for the building of a school house and teachers' cottage at Lawai. As a school is much needed in that locality, your committee would recommend the appropriation of the above amount as asked for by the Superintendent of Public Instruction.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS,  
H. P. BALDWIN.

Senator Kalaauokalani moved that the report of the committee be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Kaohi and carried.

Senator Wilcox for the same committee reported on the appropriation asked for a new school at Aiea, Oahu, as follows:

Honolulu, T. H., March 9, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Your Committee on Health and Education, to whom was referred a Resolution asking that the sum of \$5,000.00 be inserted in the Loan Bill for a school house at Aiea, Ewa, Oahu, has had the same under consideration, and finds that the Superintendent of Public Instruction, in his Report to the present Legislature, has an item, \$4,000.00, for the building of a school house at Halawa, Ewa, Oahu. As the majority of the school children live at Aiea, it seems more expedient that the school house should be there. The Superintendent of Public Instruction approves of this change. Your Committee would therefore recommend that the sum of \$4,000.00, asked for by the Superintendent of Public Instruction, be appropriated for the Aiea school, instead of for the Halawa school.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS,  
H. P. BALDWIN.

Senator C. Brown moved that the report be received and laid on the table to be taken up with the Appropriation Bill. Seconded by Senator Paris and carried.

Senator Baldwin presented a petition from constables at Kalawao and Kalaupapa asking for an increase in salary.

The petition was referred to the Committee on Health and Education.

Senator Baldwin presented a petition from residents at Keanae praying for an appropriation for bridges.

The petition was referred to the Committee on Miscellaneous Petitions.

Senator C. Brown for the Judiciary Committee reported as follows on Senate Bill No. 71:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 71, report that this Act was introduced for the purpose of amending the existing law relating to the admission of attorneys to practice law in the several Courts of the Territory. The amendments should be made in order to conform to our changed conditions. As the law now is, parties applying for admission to the bar, have to do so while the Court is in term; previous to the year 1901 this might have been the cause of annoyance and delay, but at present as the term commences in October and is continuously in session, it makes but slight difference. Under the proposed amendment any Justice of the Supreme Court can admit a person. The amendment to Section 1206 of the Civil Laws places the admission of practitioners in the District Court with the Supreme Court or any Justice thereof. Under existing law the Circuit Judges have that power. It is thought best to place the admission of all attorneys and practitioners in the several Courts with the Supreme Court and its Justices.

We recommend the passage of the Bill.

Honolulu, March 9th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator C. Brown moved that the report be laid on the table to be taken up with the bill. Seconded by Senator Paris and carried.



Senator C. Brown for the same committee reported on Senate Bill No. 72 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 72, being an Act to amend the law relating to divorce, separation and annulment of marriage, report:

That this Act makes entire change in the procedure with the exception as to the annulment of marriage. Under existing law, cases of divorce and separation were term cases and had to be heard during the sessions of court and could not be heard at Chambers. The Act now under consideration confers jurisdiction on the Judges of the Circuit Court, and makes the cases triable at any time after service, as is the case on the equity side of the Court. The amendments recommended by Section 2 and 3 of the Act are all necessary to carry out the provisions and intentions of the Act referred to this Committee. The recommendations made by the Chief Justice in his Report to the Legislature on the subject matter of this Act are all carried out by this Act. The Committee recommends its passage.

Honolulu, March 9th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Paris and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Paris and carried.

Senator Baldwin gave notice of intention to introduce a bill entitled "An Act to provide for the preservation, extension and utilization of Forests and Forest Reservation."

Under suspension of the rules, Senator Baldwin introduced a bill entitled "An Act to provide for the preservation, extension and utilization of Forests and Forest Reserves."

Senator Baldwin moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Paris and carried.

Senator Paris introduced a bill entitled "An Act to regulate and define the Pay of Witnesses."

Senator Paris moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Isenberg and carried.

Senator Achi gave notice of intention to introduce a bill entitled "An Act to encourage the Kona-Kau Railway Co., Ltd."

Senator Achi introduced a resolution asking for an appropriation of \$10,000.00 for repairing the Pali Road as follows:

**RESOLUTION.**

Honolulu, T. H., Mar. 7, 1903.

Resolved, That the sum of \$10,000 may be inserted in the Loan Bill for the improvement of the Pali Road.

W. C. ACHI,  
Senator 3rd District.

Senator Achi moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Isenberg and carried.

Senator Achi introduced an instrument to repeal Rule 52 as follows:

**TO REPEAL RULE 52.**

Be it Resolved, by the Senate, That Rule 52 is hereby repealed.

Senator Achi moved that Rule 52 be stricken out. Seconded by Senator Isenberg and lost.

Senator C. Brown for the Special Committee on County Bill asked for five days more time. Granted.

The Senate proceeded with the order of the day.

Second Reading of Senate Bill No. 83, entitled "An Act making appropriations for Salaries and Pay Rolls for six months from July 1st, A. D. 1903, which will end the Thirty First day of December, A. D. 1903."

After considerable discussion, Senator Paris moved to defer consideration until tomorrow. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 32, entitled "An Act to authorize the Appointment of a Commission to compile the Statute Laws of the Territory of Hawaii."

Senator Achi moved to insert in Section 13 the words "Fifteen Hundred Dollars" before the word "each" and "Four Thousand Five Hundred" before the word "Dollars" in line 2. Seconded by Senator C. Brown and carried.

Senator Dickey moved to amend Section 8, line 1, by striking out the words "shall be made in one volume and." Seconded by Senator Achi and carried.

Senator Dickey moved to amend Section 10, line 5, by striking out the words "at Ten Dollars (\$10.00) a volume." Seconded by Senator C. Brown and lost.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Paris and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Dickey and carried.

At 11:55 o'clock Senator C. Brown moved to take a recess until 2 o'clock. Seconded by Senator Achi and carried.

#### AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

Second Reading of Senate Bill No. 51, entitled "An Act providing for the Licensing of Tailoring and Dressmaking Establishments in the Territory of Hawaii."

Senator C. Brown moved that the bill pass second reading as amended in the report on the bill. Seconded by Senator Woods and carried.

Senator Kalauokalani moved that the bill be read third time tomorrow. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 21, entitled "An Act relating to the Manufacture and Sale of Intoxicating Liquors."

Senator C. Brown moved that the bill be referred to the Committee on Miscellaneous Petitions. Seconded by Senator Achi and carried.

Under suspension of the rules, Senator C. Brown for the Printing Committee reported Senate Bills Nos. 73, 77 and 79 printed and ready for distribution.

Senator Crabbe presented, under suspension of the rules, a petition praying for an appropriation for Kindergarten Schools.

The petition was referred to the Committee on Health and Education.

Second Reading of Senate Bill No. 61, entitled "An Act relating to the Jurisdiction of District Magistrates and Circuit Judges, repealing certain laws and amending others by striking out portions thereof as being unnecessary or of doubtful validity or of doubtful consistency with other laws."

Senator Paris moved that the bill pass second reading. Seconded by Senator Dickey and carried.

Second Reading of Senate Bill No. 62, entitled "An Act relating to the Giving of Notice by Publication, amending and repealing certain former laws upon that subject."

Senator Achi moved that the bill pass second reading. Seconded by Senator Dickey and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Baldwin and carried.

Third Reading of Senate Bill No. 57, entitled "An Act to repeal certain laws relating to the Desertion of Married Persons from one another."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators J. T. Brown, Isenberg and Naka-paahu—3.

Third Reading of Senate Bill No. 54, entitled "An Act relating to Embezzlement, amending Sections 2 and 3 of Chapter XVIII. of the Penal Code (Penal Laws, Sections 158, 159)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators J. T. Brown, Isenberg and Naka-paahu—3.

Third Reading of Senate Bill No. 43, entitled "An Act relating to Malicious Injuries, amending Section 1 of Act 35 of the Laws of 1896 (Penal Laws, Section 200)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators J. T. Brown, Isenberg and Naka-paahu—3.

Third Reading of Senate Bill No. 55, entitled "An Act relating to Burglary, amending Section 5 of Act 38 of the Laws of 1896 (Penal Laws, Section 106)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators J. T. Brown, Isenberg and Naka-paahu—3.

Third Reading of Senate Bill No. 58, entitled "An Act to amend Sections 5 and 6 of Chapter XLI. of the Laws of 1870 (Penal Laws, Sections 1398, 1399), relating to Industrial and Reformatory Schools."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators J. T. Brown, Isenberg and Naka-paahu—3.

Second Reading of Senate Bill No. 66, entitled "An Act relating to Criminal Practice and Procedure, amending Chapter XL. of the Laws of 1876, entitled 'An Act to regulate the Practice and Procedure in Criminal Cases' by amending Sections 1, 2, 3, 5, 15, 38, 48, 54, 65, 68 and 73 and repealing Sections 4, 9 and 26 thereof, and adding two new Sections thereto, and repealing Section 4 of Chapter II., Section 1 of Chapter XLVIII., and Section 5 of Chapter XLVI. of the Penal Code, Act 38 of the Laws of the Provisional Government, and Section 10 of an Act of July 27, 1866."

Senator Achi moved that the bill pass second reading and be read third time next Thursday. Seconded by Senator C. Brown and carried.

Third Reading of Senate Bill No. 52, entitled "An Act relating to the Felonious Branding of Cattle, amending Section 1 of Chapter XXV. of the Penal Code (Penal Laws, Section 215)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators J. T. Brown, Isenberg and Naka-paahu—3.

Third Reading of Senate Bill No. 53, entitled "An Act to amend Section 1426 of the Civil Code (Section 2009 of the Civil Laws of 1897)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, Ka'ine, Kalauokalani, Ka'ohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators J. T. Brown, Isenberg and Nakapaahu—3.

Third Reading of Senate Bill No. 81, entitled "An Act to encourage the Cultivation of Pineapples and the Cultivation of the Castor Oil Plant."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, Crabbe, Dickey, Ka'ine, Ka'ohi, McCandless, Paris, Wilcox and Woods—10.

Noes: Senators Achi and Kalauokalani.

Not Present: Senators J. T. Brown, Isenberg and Nakapaahu—3.

Third Reading of Senate Bill No. 34, entitled "An Act making special appropriations for the immediate use of the Judiciary Department, the Department of Public Works, the Department of Public Instruction, the Commission of Public Lands, the Board of Health and Payment of Fire Claims."

Senator McCandless moved to amend Section 1, line 6a, as follows: "Erase the figures '\$13,000' and insert '\$6,000.'" Seconded by Senator Kalauokalani.

Senator Dickey moved as an amendment to make it \$10,000.00. Seconded by Senator Achi.

The item passed at \$13,000.00 as in the bill.

Senator McCandless moved to insert "line 6b, repairs and macadamizing Lusitana Road from Lunalilo Street to Pauoa Road, \$7,000.00." Seconded by Senator Kalauokalani and carried.

Senator Paris moved to insert the sum of \$10,000.00 for Court House and Jail, North Kona, Hawaii. Seconded by Senator Woods and lost on a tie vote of 5 to 5, the chair voting against the motion.

Senator Wilcox moved to amend by inserting after line 38 "Expenses of September Term of Circuit Court at Lihue, Kauai, \$992.60." Seconded by Senator Dickey and carried.

Senator Dickey moved to amend line 1 of Section 4 by inserting the word "work" after the word "all." Seconded by Senator C. Brown and carried.

Senator Achi moved to amend Section 1 by inserting the figures "\$192,312.60" in place of "\$195,120.00." Seconded by Senator Woods and carried.

Senator Dickey moved that the bill pass as amended. Seconded by Senator Kalaauokalani and carried on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—11.

Noes: None.

Not Present: Senators Baldwin, J. T. Brown, Isenberg and Nakapaahu—4.

At 4 o'clock Senator Kaohi moved to adjourn. Seconded by Senator Kaiue and lost.

Senator Dickey gave notice of intention to introduce the following bills:

"An Act relating to Negotiable Instruments, being an Act to establish a law uniform with the laws of other States and Territories on that subject."

"An Act to repeal Act 24 of the laws of the Republic of Hawaii, approved March 15, 1895, entitled 'An Act to prevent the bringing of actions against officers of the Government or others for acts done in suppressing rebellion.'"

"An Act relating to Escheat of Lands, amending Chapter VIII. of the Session Laws of 1886."

"An Act to amend Section 6 of an Act entitled 'An Act to regulate names' passed on the 24th day of August, A. D. 1860, as amended by Chapter XXX. of the Session Laws of 1872 and to repeal Section 5 of said Act."

"An Act to amend Section 1465 of the Civil Code relating to Wills."

"An Act to amend Sections 1292, 1295 and 1296 of the Civil Code relating to Married Women."

"An Act to amend Sections 1252 and 1255 of the Civil Code relating to the Registrar of Conveyances and to repeal Section 1254 of said Code relating to said subject."

"An Act relating to Fisheries repealing certain Laws on that subject."

"An Act to repeal certain laws relating to the Census."

"An Act relating to Marriage Contracts, amending Section 1 of Chapter XXIII. of the Session Laws of 1872."

"An Act relating to the Protection of Birds, amending Section 3 of Chapter 85 of the Penal Laws (as amended by Section 1 of Chapter XIII. of the Session Laws of 1870) and repealing Chapter 41 of the Session Laws of 1892."

"An Act relating to Mongoose, repealing Section 2 of Chapter 48 of the Session Laws of 1892."

Third Reading of Senate Bill No. 63, entitled "An Act relating to Guardians and Wards."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, McCandless, Paris and Wilcox—10.

Noes: None.

Not Present: Senators Baldwin, J. T. Brown, Isenberg, Nakapaahu and Woods—5.

Second Reading of Senate Bill No. 70, entitled "An Act relating to the Garnishee of Government Beneficiaries and repealing Chapter 50 of the Session Laws of 1890." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 74, entitled "An Act to authorize and provide for the Manufacture, Maintenance, Distribution and Supply of Gas for Lighting, Power and Fuel purposes, in Honolulu and elsewhere on the Island of Oahu, Territory of Hawaii." Referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Second Reading of Senate Bill No. 56, entitled "An Act to repeal Acts 12 and 77 of the Provisional Government (Penal Laws, Chapter 97) relating to the Importation and Sale of Opium."

Senator Dickey moved that the bill pass second reading. Seconded by Senator Achi and carried.

Senator Achi moved that the bill be read third time on Wednesday. Seconded by Senator Dickey and carried.

Second Reading of Senate Bill No. 73, entitled "An Act to amend Chapter LVII. of the Laws of 1892, entitled 'An Act to reorganize the Judiciary Department, by amending Sections 2, 5, 6, 15, 22, 26, 30 (as amended by Act 19 of the Laws of 1901), 31 (as amended by Act 6 of the Special Session of 1898), 36, 37, 38 (as amended by Act 56 of the Laws of 1898), 49, 53, 56. (as amended by Act 12 of the Laws of 1896), 59, 68 (as amended by Act 56 of the Laws of 1896), 71, 74 (as amended by Section 2 of Act 40 of the Laws of 1898), 75 and 80, and repealing Sections 25, 28, 34 and 35 thereof." Referred to the Judiciary Committee.



Second Reading of Senate Bill No. 77, entitled "An Act for the Incorporation of Societies for the Prevention of Cruelty to Children." Referred to the Committee on Health and Education.

Second Reading of Senate Bill No. 79, entitled "An Act to amend Section 1280 of the Civil Code, amended by Chapter 24 of the Session Laws of 1882." Referred to the Committee on Ways and Means.

At 4:20 o'clock Senator C. Brown moved to adjourn. Seconded by Senator Kaiue and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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## EIGHTEENTH DAY.

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Tuesday, March 10th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, Nakapaahu (reported sick) and Wood absent.

The Journal of the Seventeenth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kaiue, approved as read.

Senator C. Brown for the Printing Committee reported Senate Bill No. 82 printed and ready for distribution.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., to whom was referred Senate Bill No. 13, reported as follows:

Honolulu, T. H., March 10, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on "Public Lands, Internal Improvements, Agriculture, etc.," to whom was referred Senate Bill No. 13, "An Act relating to the Territorial Insane Asylum," begs leave to recommend that Section 1 of said Act be amended so as to read as follows:

Section 1. There shall be, at such place as the Legislature of the Territory of Hawaii shall designate, one or more buildings suitable for the detention, care and treatment of the insane, to be called the Territorial Insane Asylum and the present location of the institution commonly known as the Insane Asylum is, for the purposes of this Act, hereby confirmed.

And we recommend that as so amended said Act do pass.

Very respectfully,

L. L. McCANDLESS,  
J. D. PARIS,  
J. B. KAOHI,  
Committee.

Senator Achi moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Dickey and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 15 as follows:

Honolulu, T. H., March 10, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir: Your Committee to which was referred Senate Bill No. 15 entitled "An Act to license the retail sale of malt liquors," beg leave to report that they have had the same under consideration and recommend that the bill pass with the following amendment:

Strike out the word "ten" in Section 1, line 4, and insert the word "five."

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator C. Brown moved that the report be laid on the table to be considered with the bill. Seconded by Senator Paris and carried.

Senator Dickey for the Committee on Miscellaneous Petitions asked for more time in which to report on the Electric Railroad and the Local Option Law. Granted.

Senator Dickey offered a resolution asking for an increase of pay for the school agent on Molokai as follows:

**RESOLUTION.**

Honolulu, T. H., Mch. 10, 1903.

**Resolved, That the pay of the School Agent on Molokai be raised to Two Hundred Dollars per annum, the present pay of Seventy-five not being adequate.**

C. H. DICKEY.

Senator Dickey moved that the resolution be laid on the table to be considered with the Appropriation Bill. Seconded by Senator McCandless and carried.

Senator Achi introduced a bill entitled "An Act to encourage the Kona-Kau Railroad Co., Limited."

Senator Achi moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator McCandless and carried.

Senator Kalaauokalani introduced a resolution relating to telephonic communication on the Island of Molokai as follows:

**RESOLUTION.**

**Be It Resolved, by the Senate of the Territory of Hawaii in Legislature assembled, That an appropriation of Fifteen Thousand Dollars be inserted in the Appropriation or Loan Bill for the establishment of a telephonic connection between the Leper Settlement, Island of Molokai, and the rest of the island, as the means of setting aside the great inconvenience occasioned to the unfortunates at the Settlement in the delay of information and transportation of Palai and other necessities of the unfortunates. Said connections to run in the following manner, as follows:**

**From Kaunakakai to Kamalo, to Pukoo, to Halawa, to Wallau, to Pelekunu, to Kalawao and the Leper Settlement; and from the Leper Settlement to Kaunakakai again.**

D. KALAUOKALANI,

Senator 3rd Senatorial District, T. of H.

Honolulu, March 10, 1903.

Senator Kalaauokalani moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator C. Brown.

Senator McCandless moved as an amendment that the resolution be referred to the special committee to be appointed to visit the Leper Settlement. Seconded by Senator Dickey.

Senator McCandless withdrew his amendment and the motion of Senator Kalaupokalani carried.

Senator Dickey introduced a bill entitled "An Act relating to Fisheries, repealing certain laws on that subject."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act relating to Negotiable Instruments being an Act to establish a law uniform with the laws of other States and Territories on that subject."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act relating to Escheat of Lands, amending Chapter VIII. of the Session Laws of 1886."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act to amend Section 6 of an Act entitled 'An Act to regulate Names' passed on the 24th day of August, A. D. 1880, as amended by Chapter XXX. of the Session Laws of 1872, and to repeal Section 5 of said Act."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act to amend Sections 1292, 1295 and 1296 of the Civil Code relating to Married Women."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act relating to Marriage Contracts, amending Section 1 of Chapter XXIII. of the Session Laws of 1872."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act to repeal certain laws relating to Census."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act relating to the Protection of Birds, amending Section 3 of Chapter LXXXV. of the Penal Code (as amended by Section 1 of Chapter XIII. of the Session Laws of 1870), and repealing Chapter XLI. of the Session Laws of 1892."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act relating to Mongoose, repealing Section 2 of Chapter XLVIII. of the Session Laws of 1892."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act to amend Sections 1252 and 1255 of the Civil Code, relating to the Registrar of Conveyances and to repeal Section 1254 of said Code relating to said subject."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act to repeal Act 24 of the Laws of 1895, entitled 'An Act to prevent the bringing of actions against Officers of the Government or others for acts done in suppressing rebellion.'"

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

A communication from the Secretary of the Governor relating to a mistake in the amounts of the claims of British subjects against the Republic of Hawaii for treatment in 1895 was read by the clerk as follows:

#### EXECUTIVE CHAMBER.

Territory of Hawaii,  
Honolulu, Mar. 10th, 1903.

HON. C. L. CRABBE,  
President of the Senate.  
Honolulu, T. H.

Sir:—I am directed by the Governor to inform you that a mistake was made in transmitting, under date of March 5th, the claims of British subjects on account of treatment by

the Republic of Hawaii during martial law in 1895, and that the amounts claimed should have been in pounds sterling instead of dollars.

Very respectfully,

ALEX. G. HAWES, JR.,  
Secretary to the Governor.

Senator Baldwin moved that the two communications on this subject be referred to the Judiciary Committee to investigate and draw a bill if they think proper. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the Message of the Governor in relation to unpaid bills be referred to the Committee on Public Expenditures. Seconded by Senator Woods and carried.

The Senate proceeded with the order of the day.

Third Reading of Senate Bill No. 32, entitled "An Act to authorize the appointment of a commission to compile the Statute Laws of the Territory of Hawaii."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Dickey and Nakapaahu—2.

Third Reading of Senate Bill No. 51, entitled "An Act providing for the Licensing of Tailoring and Dressmaking Establishments in the Territory of Hawaii."

Senator Achi moved that the bill be referred to the Committee on County Bill. Seconded by Senator McCandless and carried.

Third Reading of Senate Bill No. 56, entitled "An Act to repeal Acts 12 and 77 of the Provisional Government (Penal Laws, Chapter 97) relating to the Importation and Sale of Opium."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Dickey and Nakapaahu—2.

Third Reading of Senate Bill No. 62, entitled "An Act relating to the Giving of Notice by Publication, amending and repealing certain former laws upon that subject."

Senator Achi moved to defer consideration until tomorrow. Seconded by Senator Kalauokalani and carried.

Third Reading of Senate Bill No. 72, entitled "An Act relating to Divorce, Separation and Annulment of Marriage."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Dickey and Nakapaahu—2.

Second Reading of Senate Bill No. 83, entitled "An Act making Appropriations for Salaries and Pay Rolls for six months from July 1, A. D. 1903, which will end with the Thirty First day of December, A. D. 1903."

Senator Paris moved to postpone consideration until tomorrow. Seconded by Senator Achi and Carried.

Second Reading of Senate Bill No. 82, entitled "An Act relating to the payment of certain Bonds, the issue of which by the Governor and Secretary of the Territory of Hawaii, has been authorized by Congress." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 13, entitled "An Act relating to the Territorial Insane Asylum."

Senator Isenberg moved to defer until tomorrow. Seconded by Senator C. Brown and carried.

At 11:50 o'clock Senator C. Brown moved to adjourn. Seconded by Senator Achi and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

## NINETEENTH DAY.

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Wednesday, March 11th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, C. Brown, Dickey, Nakapaahu (reported sick) and Woods absent.

The Journal of the Eighteenth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Paris, approved as read.

Senator Wilcox for the Committee on Health and Education reported on Senate Bill No. 77 as follows:

Honolulu, T. H., March 11, 1903.

HON. C. L. CRABBE,

President of the Senate.

Your Committee on Health and Education, to whom was referred Senate Bill No. 77, entitled "An Act for the incorporation of societies for the prevention of cruelty to children," has had the same under consideration, and finds the bill a good one, and recommends that it pass.

Respectfully submitted,

S. W. WILCOX,

PALMER P. WOODS.

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Paris and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Paris and carried.

Senator Paris gave notice of intention to introduce a bill entitled "An Act to prevent the furnishing of Liquor to Inebriates and Minors."

Under suspension of the rules, Senator Paris introduced a bill entitled "An Act to prevent the furnishing of Intoxicating Liquors to Inebriates or Minors."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.



Senator Achi gave notice of intention to introduce the following bills:

"An Act to declare the effect of an adoption of a child."

"An Act relating to Attachment and Garnishment."

Under suspension of the rules, Senator Achi introduced a bill entitled "An Act to declare the effect of an adoption of a child."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

Senator Achi introduced a bill entitled "An Act relating to Attachments and Garnishments."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator McCandless and carried.

The Senate proceeded with the order of the day.

Third Reading of Senate Bill No. 15, entitled "An Act to license the Retail Sale of Malt Liquors."

Senator Achi moved to amend by substituting "150" before the word "feet" in Section 2 for "450." Seconded by Senator J. T. Brown and carried.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, J. T. Brown, Isenberg, Kaiue, Kalaokalani, Kaohi, McCandless, Paris and Wilcox—9.

Noes: None.

Not Present: Senators Baldwin, C. Brown, Crabbe, Dickey, Nakapaahu and Woods—6.

Third Reading of Senate Bill No. 44, entitled "An Act to prevent the Wanton Destruction of the Food Fishes living in the waters of the Territory."

Senator Isenberg moved to amend by adding after the word "iheihe" the words "opelu, iao, omaka, piha and nehu," and striking out the words "during the period from March 1st to August 1st in each year." Seconded by Senator Achi and carried.

Senator Baldwin moved to postpone consideration until tomorrow. Seconded by Senator McCandless.

Senator Achi moved as an amendment to postpone consideration for one week. Seconded by Senator Woods and carried.

Third Reading of Senate Bill No. 61, entitled "An Act relating to the Jurisdiction of District Magistrates and Circuit Judges, repealing certain laws and amending others by striking out portions thereof as being unnecessary or of doubtful validity or of doubtful consistency with other laws."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators Crabbe, Dickey and Nakapaahu—3.

Third Reading of Senate Bill No. 62, entitled "An Act relating to the Giving of Notice by Publication, amending and repealing certain former laws upon that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators Crabbe, Dickey and Nakapaahu—3.

Third Reading of Senate Bill No. 67, entitled "An Act to authorize the appointment of a Fish Commissioner and to define his duties and powers."

Senator Isenberg moved to postpone consideration for one week. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 13, entitled "An Act relating to the Territorial Insane Asylum."

Senator C. Brown moved that the report of the committee in regard to Section 1 be adopted. Seconded by Senator McCandless and carried.

Senator Achi moved to postpone consideration until after the County Bill is disposed of. Seconded by Senator Kalauokalani and carried.

Third Reading of Senate Bill No. 71, entitled "An Act relating to Attorneys at Law, amending Statutes on that subject."

Senator J. T. Brown moved to postpone consideration for one week. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 83, entitled "An Act making Appropriations for Salaries and Pay Rolls for six months from July 1, 1903, which will end the Thirty First day of December, A. D., 1903."

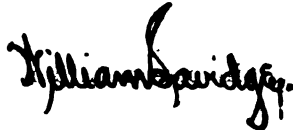
The following amendments were made:

"Salary of 2 Assistant Harbor Masters, 1 at \$. . . . ., 1 at \$. . . . ., \$1,500.00" amended to read "Salary of 2 Assistant Harbor Masters at \$125.00 each, \$1,500.00."

"Pay of Pound Master, Honolulu, \$200.00" amended to read "Pay of 2 Pound Masters, Honolulu, one for the Fourth District, one for the Fifth District, \$400.00."

"Salary of Veterinary Surgeon, \$300.00" amended to read "Salary of Veterinary Surgeons, one for the Island of Hawaii, \$600.00."

At 12 o'clock, the reading of the bill not being completed, Senator Isenberg moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Kalauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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## TWENTIETH DAY.

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Thursday, March 12th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, C. Brown, Dickey and Nakapaahu (reported sick) absent.

The Journal of the Nineteenth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kaiue, approved as read.

A communication from the Treasurer submitting information regarding revenue receipts of the Territory was read by the clerk as follows:

TERRITORY OF HAWAII.

Treasurer's Office,

Honolulu, Oahu, March 12, 1903.

HON. C. L. CRABBE,

President of the Senate,

Territory of Hawaii.

Sir:—I beg to submit herewith in compliance with the following Resolution passed by your honorable body on the 2nd inst., a detailed statement in duplicate of the revenue receipts of the Territory of Hawaii, for each Island for the year 1902

RESOLUTION.

Resolved, That the Treasurer of the Territory be requested to furnish the Senate a detailed statement in duplicate of the revenue receipts of the Territory of Hawaii, for the year 1902, as follows:

- (1) The amount received from the Property Tax for each Island, from the following sources:
  - (a) From sugar plantations.
  - (b) From all other corporations.
  - (c) From co-partnerships.
  - (d) From individual owners.
- (2) The amount received from Income Tax for each Island, from the following sources:
  - (a) from sugar plantations.
  - (b) From all other corporations.
  - (c) From co-partnerships.
  - (d) From individuals.
- (3) Amount received from License Fees for each Island.
- (4) Amount received from Land Leases for each Island.
- (5) Amount received from Water Works for each Island.
- (6) Amount received from Harbor Masters for each Island.
- (7) Amount received from Fines, Penalties and Costs for each Island.
- (8) Amount received from all other sources for each Island.

Very respectfully,

A. N. KEPOIKAI,

Treasurer, Territory of Hawaii.

## AMOUNTS RECEIVED FROM EACH ISLAND "TERRITORY OF HAWAII," FOR THE YEAR ENDING DECEMBER 31, 1902.

## FROM THE FOLLOWING SOURCES.

## RECEIVED FROM.

	Oahu.	Hawaii.	Maul.	Kauai.	Molokai.	Lanai.
(a) Sugar Plantations . . . . .	\$ 166,485 00	\$ 181,092 60	\$ 113,583 95	\$ 106,867 40	\$	\$
(b) All Other Corporations . . . . .	131,390 83	23,168 22	5,477 59	2,346 19	3,499 00	291 00
Property Tax, from—						
(c) Co-partnerships . . . . .	16,322 00	2,295 30	1,607 35	4,983 05		
(d) Individual Owners . . . . .	314,136 43	57,326 36	15,400 48	9,827 40	1,138 15	20 50
(a) Sugar Plantations . . . . .	19,360 53	28,787 99	7,591 59	12,301 07		
(b) All Other Corporations . . . . .	42,914 29	1,633 98	873 23	322 02		
(d) Co-partnerships . . . . .						
(e) Individuals . . . . .	53,519 55	9,987 36	3,725 04	5,225 91	25 16	
License Fees . . . . .	74,206 00	33,174 00	18,600 50	8,499 50	495 00	
Land Leases . . . . .	63,309 94	49,463 60	20,959 42	13,225 00	1,555 00	
Water Works . . . . .	100,883 95	6,665 90	4,536 05	370 00		
Harbor Masters . . . . .	78,775 54	2,675 29				
Fines, Penalties and Costs . . . . .	36,451 20	18,406 14	8,719 39	7,354 84	250 60	
All Other Sources . . . . .	272,585 91	113,511 33	29,338 84	43,668 37	1,048 40	137 50
	\$1,370,341 17	\$528,188 07	\$230,413 43	\$214,990 75	\$8,011 31	\$449 00

A. N. KEPOIKAI, Treasurer.

Treasurer's Office, March 12th, 1903

Senator Kaiue moved that the communication be referred to the Printing Committee for translation and printing. Seconded by Senator Baldwin and carried.

The following communication from the clerk of the House of Representatives, announcing the passage of Senate Bill No. 6, was read by the clerk:

Honolulu H. T., Mar. 11th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith return Senate Bill No. 6, duly passed by the House of Representatives this day.

Yours respectfully,

S. MEHEULA,  
Clerk, H. of R.

Senator Isenberg presented a petition relating to the source of supply of water for the City of Honolulu.

Senator Isenberg moved that the petition be referred to a special committee. Seconded by Senator J. T. Brown and carried.

Senator McCandless moved that the petition in regard to the Pahoa Water Works be referred to the same committee. Seconded by Senator Isenberg and carried.

A communication from the Secretary of the Territory announcing that the Governor has signed Act 3 on the 11th inst. was read by the clerk as follows:

**TERRITORY OF HAWAII.**

Office of the Secretary,  
Honolulu, H. I., March 12th, 1903.

**SENATOR C. L. CRABBE,**  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Act on the 11th instant:

"Act 3. An Act to appropriate money for the purpose of defraying expenses in connection with the fire claims and their payment."

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

Senator Isenberg moved that the communication be received and placed on file. Seconded by Senator McCandless and carried.

Senator Kaine presented a petition from residents of Wai-luku praying that certain changes be made in the County Bill, viz:

1) That management and control of the Schools be under each County.

(2) That all Government Physicians and Surgeons shall be under control of the County but paid by the Territory.

(3) That District Magistrates be elected.

(4) That office of Assessor and Collector of Taxes be made one office.

(5) That the Board of Supervisors shall be compensated.

(6) That both County and Territorial taxes on real and personal property be fixed by enactment of Legislature.

(7) That all prisoners sentenced for ten years or more be confined in the Territorial Penitentiary, Oahu.

(8) That the members of the Board of Supervisors shall not be eligible for any other office.

(9) That all County Officers, except members of the Board of Supervisors, shall be paid monthly.

(10) That all candidates shall be a resident of the County for not less than three years prior to election.

The Petition was referred to the Committee on County Bill.

Senator C. Brown reported for the Printing Committee that Senate Bills Nos. 84, 85, 86 and 87 had been printed and were ready for distribution.

Senator Baldwin for the Committee on Ways and Means reported on Senate Bill No. 38 as follows:

Honolulu, T. H., March 11, 1903.

HONORABLE C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 38, entitled "An Act to authorize licenses for sales of wine, ale, beer, cider and spirits by retail grocers," begs leave to report as follows:

This Bill proposes to grant to grocers who do an annual business of not less than \$100,000.00 a license to sell wines, beers and spirits, etc., in quantities of not less than one bottle. The license fee is \$250.00, and is to be granted only to grocers in the towns of Honolulu and Hilo.

It seems to your Committee unfair to the retail dealers who pay \$1,000 for a license, to allow grocers to retail alcoholic

liquors under a license for which they pay only \$250, one-fourth the amount. Then again, if grocers whose annual trade amounts to \$100,000.00 are allowed a license to retail alcoholic liquors, why should not grocers whose annual trade is less than \$100,000.00 be allowed the same privilege?

Your Committee is of the opinion that there are good reasons why the retail trade in spirituous liquors should be kept separate and distinct from the grocery trade.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator C. Brown moved that the report of the committee be received and laid on the table to be considered with the bill. Seconded by Senator Paris and carried.

Senator Baldwin for the same committee reported on Senate Bill No. 79 as follows:

Honolulu, T. H., March 11, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 79, entitled "An Act to amend Section 1280 of the Civil Code amended by Chapter 24 of the Session Laws of 1882," beg leave to report that we have had said Bill under careful consideration.

The Bill proposes to amend the law fixing the pay of Jurors, so that they shall receive "travelling expenses, verified by vouchers in lieu of mileage." The present law provides that jurors shall receive five (5) cents a mile for travelling expenses. This rate is far from being sufficient to pay for actual travelling expenses in this country, but your Committee consider the provision in the Bill that Jurors receive "travelling expenses, verified by vouchers in lieu of mileage" is too indefinite.

We would therefore recommend that the words "verified by vouchers in lieu of mileage," at the end of line 5, Section 1, printed copy, be stricken out, and that the words "at the rate of ten (10) cents a mile each way," be inserted in the place thereof.

With this amendment, we recommend the passage of the Bill.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.



Senator McCandless moved that the report be received and laid on the table to be considered with the bill. Seconded by Senator Isenberg.

Senator J. T. Brown moved as an amendment that the report of the committee be adopted. Seconded by Senator Achi.

The chair then put the motion to lay on the table which carried.

Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 70 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 70 relating to the garnishee of Government employees and repealing existing but inoperative law on the subject, report that they have had the Act referred under consideration and recommend its passage with the following amendment to Section 2: insert after the word "Government" on the second and fourth lines of said Section, the words "or municipal or political subdivision." The object of the amendment is, that should the County Bill go into effect and become law, the law will also cover the garnishee of County as well as Territorial beneficiaries.

Honolulu, March 11th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator C. Brown moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Kaluokalani and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 75 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 75, being an Act to provide for the redemption of property sold under foreclosure of mortgage, report:

That they have had the same under consideration, and that they favor the object for which the Act is drawn, that is, to provide a time in which real property sold under foreclosure of mortgage may be redeemed by the mortgagor. Legislation of a like nature exists in many, if not all, of the Western

States, and in many of the Eastern. The Islands have never had such a law; we think our changed conditions warrant the passing of an Act of this character.

We have prepared a new Act which we recommend the Senate to pass instead of the one referred.

Honolulu, March 11, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator C. Brown introduced a bill entitled "An Act providing for the Redemption of Real Property sold under Foreclosure of Mortgage."

Senator Paris moved that the report of the committee be adopted. Seconded by Senator Baldwin and carried.

Senator C. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Paris and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 33 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 33, being an Act to provide for the payment by the Territory of additional salaries for the Judges of the several Circuit Courts, report that they have had the same under consideration.

The salaries of the Judges are now paid by the Federal Government, and are \$3,000 a year each. The Bill under consideration gives the Judges of the First and Fourth Circuits an increase of \$1,000.00 a year each, and to the Judges of the other circuits an increase of \$500.00 each. This matter was under consideration by the Bar Association and this legislation is recommended by that body.

We think the salaries now paid are inadequate, and recommend the passage of the Bill.

Honolulu, March 11th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Kalaauokalani moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator McCandless and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 73 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 73, report that this Act is one made necessary by our changed conditions, and is recommended by the Chief Justice and the Bar Association.

The amendments noted below are all to the Judiciary Act passed in 1892, and which reorganized the Judiciary Department.

The amendment to Section 1104, Civil Laws, substitutes the word "Governor" for "President."

To Section 1109, Civil Laws, adds the laws and constitution of the United States to that of this Territory.

The amendment to Section 1110, Civil Laws, removed surplusage and powers obsolete by reason of annexation.

The amendment to Section 1210, Civil Laws, is to the proviso of that Section, and the object is to obtain speedy trial and damages should the attachment be wrongfully, oppressively or maliciously obtained.

The amendment to Section 22 of this Act is Section 610 of the Penal Laws, and is in that compilation, as it relates to the commitment of parties arrested for crimes, etc., is made necessary by reason of indictments having to be found by a Grand Jury.

The amendment to Section 1128, Civil Laws, provides for the appointment of an Acting District Magistrate to take the place of one disqualified for any cause or reason, and also provides that this power shall not conflict or be implied or directly construed to repeal another law providing also for the appointment of Acting District Magistrates for certain reasons or causes.

The amendment to Section 1137, Civil Laws, as amended by Act 19 of 1901, provides that all three Judges of the First Circuit may sit and hear cases at one and the same time, and all be in session at the same time, and is necessary in order to expedite business and clear the calendar of its long list of cases pending.

The amendment to Sections 1138 and 1140, Civil Laws, relate to the time of holding the terms of the several Circuit Courts and the length or time of such terms; at present the First Circuit, which is the Island of Oahu, has four terms a year. The terms of Court continue twenty-four days, and can be continued for twelve days longer. The amendments propose to change the time of holding the terms of all Courts, and also

on the Island of Maui, leaves Lahaina out, and makes both terms of Court held at Walluku, a necessary change in the opinion of this Committee.

The amendment also makes four terms held at Hilo, the Fourth Circuit, and leaves out Honokaa. We recommend but three terms of Court for that Circuit, and suggest that the August Term be done away with and stricken out of this Act. The amendment also provides for but three terms of Court for the First Circuit, and a continuous session, say, for nine months.

The amendments to Sections 1144, 1146 and 1145, Civil Laws, make necessary changes (caused by annexation) to the jurisdiction of the Circuit Courts and the Judges in Chambers over proceedings at law or in equity, etc.

The amendments to Section 1162, Civil Laws, relate to the Justices of the Supreme Court, and strike out a portion of that Section, now unnecessary and out of place. The amendments remaining cover practice, the appointment of clerks, the hearing of cases before the Supreme Court, appeals, exceptions, and the repeal of other laws and parts of law made necessary by our present condition and the Organic Act.

We recommend the passage of this Act.

Honolulu, March 11, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI.

I concur with the report, except the removal of Honokaa Court.

PALMER P. WOODS,

Senator Paris moved that the report be laid on the table to be considered with the bill. Seconded by Senator Kalauokalani and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 69 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 69, beg leave to report that they have had the same under consideration, and as there is or might arise a

question of the constitutionality of the Act that No. 69 seeks to amend, it has been thought safer to draw a new Act to carry out the intentions of the Bill referred and to repeal in toto the Act intended to be amended. The Act relates to the exemption of certain personal property from attachment, execution, distress and forced sale of any kind.

We herewith submit a new Bill in place of the one referred Honolulu, March 11th, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator McCandless and carried.

Senator C. Brown introduced a bill entitled "An Act relating to the Exemption of certain personal property from Attachment, Execution and Forced Sale, and to repeal an Act entitled 'An Act to provide for the Exemption of certain Personal Property from Attachment, Execution, Distress and Forced Sale of every nature and description' and repealing an Act entitled 'An Act to facilitate the Recovery of Rents, passed on the sixth day of January, 1865, and all other laws and parts of laws in conflict with this Act,' approved April 24, 1901."

Senator C. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator J. T. Brown and carried.

Second Reading of Senate Bill No. 82, entitled "An Act making Appropriations for Salaries and Pay Rolls for six months from July 1, A. D. 1903, which will end the thirty-first day of December, A. D. 1903" continued.

Senator C. Brown moved to reconsider the item "Salary of Electrical Inspector, \$1,200.00." Seconded by Senator Isenberg and carried.

Senator C. Brown moved that the item be stricken out. Seconded by Senator McCandless and carried.

The President here called the Vice President to the chair.

Senator Crabbe moved to refer all appropriations under the head of "Commission of Agriculture and Forestry" to a special committee. Seconded by Senator Isenberg and carried.

The chair appointed the following committee: Senators Isenberg, Baldwin and Kalaauokalani.

At 11:55 o'clock Senator Kalaauokalani moved to adjourn until 10 o'clock tomorrow. Seconded by Senator Isenberg and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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TWENTY-FIRST DAY.

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Friday, March 13th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Baldwin, C. Brown, Nakapaahu (reported sick) and Woods absent.

The Journal of the Twentieth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Paris, approved as read.

A communication from the House of Representatives transmitting House Bill No. 34 was read by the clerk as follows:

Honolulu, H. T., March 12th, 1903.

To the Hon. President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith transmit House Bill No. 34 entitled "An Act to better define and regulate the manner of electing directors and trustees of corporations," duly passed by the House of Representatives this 11th day of March, 1903.

Very respectfully,

S. MEHEULA,  
Clerk.

Senator Dickey moved that the bill be placed on the order of the day for today. Seconded by Senator Isenberg and carried.

The chair announced the following special committee on the Pahoia Water Works:

Senators Isenberg, C. Brown, J. T. Brown, Dickey and Kaiue.

Senator Dickey presented two petitions, one from the voters of Hamakuapoko and one from the voters of Kula, endorsing Wailuku as a county seat.

The petitions were referred to the Committee on County Bill.

Senator Paris for the Committee on Public Expenditures, to whom was referred the Message of the Governor on current expenditures, reported as follows:

Honolulu, H. T., March 13, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Public Expenditures, to which was referred the Message of His Excellency the Governor, upon the subject of current expenditures appropriations for the several Departments of the Territory for the fiscal period beginning July 1, 1903, begs leave to report and to introduce a bill entitled "An Act making special appropriations for the Departmental use of the Territory during six months from July 1, 1903, which will end with the first day of December, A. D. 1905," and to recommend that the Act do pass. We have now provided in this Act for the period indicated in view of the proposal and the Acts pending looking to county government throughout the Territory beginning Jan. 1, 1904.

Respectfully submitted,

J. D. PARIS,

L. L. McCANDLESS,

J. B. KAOHI,

Committee.

Senator Paris moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Dickey and carried.

Senator Paris introduced a bill entitled "An Act making special appropriations for the departmental use of the Territory during six months from July first, A. D. 1903, which will end with the thirty-first day of December, A. D. 1903."

Senator Paris moved that the bill pass first reading. Seconded by Senator Dickey and carried.

Senator Dickey introduced the following resolution relating to the clerk entering petitions in the proceedings of the Senate:

RESOLUTION.

Honolulu, T. H., March 13th, 1903.

Resolved, That in case petitions are presented which are fac-similes of petitions previously presented, the clerk is authorized to merely enter them by description only and not to enter them in full in the proceedings of the Senate.

C. H. DICKEY,  
Senator 2nd District.

Senator Dickey moved that the resolution be adopted. Seconded by Senator Woods and carried.

Senator Achi gave notice of intention to introduce the following bills:

"An Act relating to the Writ of Habeas Corpus, amending and repealing certain laws on that subject."

"An Act to repeal certain laws relating to Trial by Referees."

Under suspension of the rules, Senator Achi introduced a bill entitled "An Act relating to the Writ of Habeas Corpus, amending and repealing certain laws on that subject."

Senator Achi moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

Senator Achi introduced a bill entitled "An Act to repeal certain laws relating to Trial by Referees."

Senator Achi moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

The President here called Senator Isenberg to the chair.

Senator Crabbe gave notice of intention to introduce a bill entitled "An Act to amend Act 51 of the Session Laws of 1896, entitled 'An Act relating to Internal Taxes, and to repeal Chapter 61 of the Session Laws of 1892 relative thereto,' approved June 3rd, 1896, and to repeal Section 18 thereof."

Under suspension of the rules, Senator Crabbe introduced a bill entitled "An Act to amend Act 51 of the Session Laws of 1896 entitled 'An Act relating to Internal Taxes, and to repeal Chapter 61 of the Session Laws of 1892 relative thereto,' approved June 3rd, 1896, and to repeal Section 18 thereof."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.



Senator Woods gave notice of intention to introduce a bill entitled "An Act to provide against the adulteration of Food and Drugs."

Under suspension of the rules, Senator Woods introduced a bill entitled "An Act to provide against the adulteration of Food and Drugs."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

Under suspension of the rules, Senator C. Brown reported for the Printing Committee Senate Bills 89 and 82 printed and ready for distribution.

Senator Crabbe moved that a special committee of three be appointed to whom shall be referred all bills introduced and that they be authorized to reject such bills as they think fit. Seconded by Senator Dickey.

After considerable discussion the motion was withdrawn.

Second Reading of Senate Bill No. 83, entitled "An Act making appropriations for Salaries and Pay Rolls for six months from July 1st, A. D. 1903, which will end on the thirty-first day of December, A. D. 1903."

Senator McCandless moved that all appropriations under the head of "Survey Department" be referred to the Committee on Public Expenditures. Seconded by Senator Woods and lost.

Under the head of "Board of Health" Senator Achi moved that the item "Salary of Executive Officer, \$1,500.00" be reduced to \$1,200.00. Seconded by Senator C. Brown and carried.

Senator McCandless moved that all items under the head of "Board of Health" be referred to the Committee on Health and Education. Seconded by Senator Kalauokalani and lost.

Senator Achi moved that the item "Salary of Secretary, \$1,050.00" be reduced to \$1,000.00. Seconded by Senator Dickey.

Senator Crabbe moved that the item pass as in the bill. Seconded by Senator Woods and lost.

The item passed at \$1,000.00.

Senator Dickey moved that the item "Salary of Registrar General, \$900.00" be referred to the Committee on Health and Education and that the committee report tomorrow. Seconded by Senator McCandless and carried.

Senator McCandless moved that the item "Salary of Stenographer, \$600.00" be referred to the Committee on Health and Education. Seconded by Senator Dickey and lost.

Senator Achi moved that the item pass as in the bill. Seconded by Senator Woods and carried.

Senator Crabbe moved that the item "Fish Inspector, Honolulu, \$450.00" pass as in the bill. Seconded by Senator Achi and lost.

Senator C. Brown moved that the item pass at \$400.00. Seconded by Senator Achi and lost.

Senator C. Brown moved that the item pass at \$380.00. Seconded by Senator Achi and carried.

Senator Kalauokalani moved that the item "Assistant Fish Inspector, Honolulu, \$300.00" pass at \$350.00. Seconded by Senator Woods and lost.

Senator Achi moved that the item pass as in the bill. Seconded by Senator Wilcox and carried.

Senator Achi moved that the item "Government Physicians, \$10,140.00" be stricken out. Seconded by Senator Kalauokalani.

Senator Crabbe moved that the item be referred to the Committee on Miscellaneous Petitions. Seconded by Senator Dickey and lost.

Senator Paris moved that the item be referred to a special committee. Seconded by Senator Woods and carried.

Senator Achi moved that the item "Maintenance of Hospitals, \$1,500.00" be reduced to \$1,200.00. Seconded by Senator J. T. Brown.

Senator McCandless moved as an amendment that the item be referred to the same special committee. Seconded by Senator Dickey and carried.

Senator Achi moved that the item "Insane Asylum, \$8,000.00" be referred to the same committee. Seconded by Senator C. Brown and carried.

The chair announced the following committee: Senators Paris, Dickey, Woods, Wilcox and McCandless.

Under the head of "Band" Senator Crabbe moved to reconsider the item "Salary of Singers, \$600.00." Seconded by Senator McCandless and carried.

Senator Crabbe moved that the item be amended to read "Salary of Singers, 2 lady vocalists, each \$300.00—\$600.00." Seconded by Senator Woods and carried.

Senator Dickey moved that the item "Auditor, Salary of, \$2,250.00" be reduced to \$1,800.00. Seconded by Senator McCandless.

Senator Crabbe moved that the item pass as in the bill. Seconded by Senator J. T. Brown and carried.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Paris and carried.

Senator C. Brown moved that the bill be read third time on Monday, the 16th. Seconded by Senator Achi and carried.

Senator Crabbe moved to reconsider the passage of the bill. Seconded by Senator Achi and carried.

The Senate proceeded with the Order of the Day.

Third Reading of Senate Bill No. 66, entitled "An Act relating to Criminal Practice and Procedure, amending Chapter XL of the Laws of 1876, entitled 'An Act to regulate the Practice and Procedure in Criminal Cases by amending Sections 1, 2, 3, 5, 15, 38, 48, 54, 65, 68 and 78 and repealing Sections 4, 9 and 26 thereof, and adding two new sections thereto,' and repealing Section 4 of Chapter II, Section 1 of Chapter XLVIII. and Section 5 of Chapter XLVI. of the Penal Code, Act 38 of the Laws of the Provisional Government, and Section 10 of an Act of July 27, 1866."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators Baldwin, McCandless and Naka-paahu—3.

Third Reading of Senate Bill No. 77, entitled "An Act for the Incorporation of Societies for the Prevention of Cruelty to Children."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators Baldwin, McCandless and Naka-paahu—3.

At 12 o'clock Senator Dickey moved to take a recess until 2 o'clock. Seconded by Senator Woods and carried.

## AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

First Reading of House Bill No. 34, entitled "An Act to better define and regulate the manner of electing Directors and Trustees of Corporations."

Senator McCandless moved that the bill pass first reading. Seconded by Senator Woods and carried.

Senator McCandless moved that the bill be read second time on Monday, the 16th. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 19, entitled "An Act to regulate the practice of Dental Surgery in the Territory of Hawaii."

Senator Achi moved that the bill be read section by section. Seconded by Senator Dickey and carried.

Section 1. Senator Dickey moved that the section pass as read. Seconded by Senator Woods and carried.

Section 2. Senator Dickey moved that the section pass as read. Seconded by Senator Paris and carried.

Section 3. Senator Dickey moved to amend line 3 by striking out the word "five (5)" and insert the word "three (3)." Seconded by Senator C. Brown and carried.

Senator Dickey moved that the section pass as amended. Seconded by Senator Paris and carried.

Section 4. Senator Achi moved that the section pass as read. Seconded by Senator Paris and carried.

Section 5. Senator Achi moved to insert between the words "college" and "and" the words "or who has had at least two years practical experience in a dental office." Seconded by Senator Dickey.

Senator Isenberg moved as an amendment that the section pass as in the bill. Seconded by Senator Woods.

The chair then put the motion to pass as in the bill which was lost.

The motion of Senator Achi then carried.

Senator Achi moved that the section pass as amended. Seconded by Senator Woods and carried.

Section 6. Senator Achi moved that the section pass as read. Seconded by Senator Dickey and carried.

Section 7. Senator C. Brown moved that the section pass as read. Seconded by Senator Dickey and carried.

Section 8. Senator Achi moved to amend so as to read as follows: "Section 8. If any dentist shall be guilty of gross negligence, indecent conduct towards patients or any such professional misbehavior as show unfitness on the part of the dentist to practice, he or she shall be guilty of misdemeanor, and upon presentation to the Board by three or more persons of such facts, certified, the license of such dentist shall be cancelled, and such fact shall be noted on the record of licenses.

Any person whose license shall be so cancelled shall be deemed an unlicensed person within the meaning of this Act." Seconded by Senator Kaiue and carried.

Senator Achi moved that the section pass as amended. Seconded by Senator J. T. Brown and carried.

Section 9. Senator Achi moved that the section pass as read. Seconded by Senator Woods and carried.

Section 10. Senator Dickey moved to amend line 5 by striking out the words "less than Fifty Dollars (\$50.00) or." Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the section pass as amended.

Seconded by Senator Dickey and carried.

Section 11. Senator Achi moved that the section pass as read. Seconded by Senator Woods and carried.

Section 12. Senator C. Brown moved that the section pass as read. Seconded by Senator Dickey and carried.

Section 13. Senator C. Brown moved to strike out the word "ever" in line 2. Seconded by Senator Wilcox and carried.

Senator Dickey moved that the section pass as amended. Seconded by Senator C. Brown and carried.

Section 14. Senator C. Brown moved that the section pass as read. Seconded by Senator Kalaauokalani and carried.

Section 15. Senator Dickey moved to amend by striking out in line 4 the words "less than Two Hundred Dollars (\$200.-00) or." Seconded by Senator Achi and carried.

Senator Dickey moved that the report of the committee recommending that the words in line 5 "or by imprisonment for not less than 3 or more than 6 months or by both" be stricken out be adopted. Seconded by Senator Wilcox and carried.

Senator Dickey moved that the section pass as amended. Seconded by Senator Wilcox and carried.

Section 16. Senator Dickey moved that the section pass as read. Seconded by Senator Wilcox and carried.

Section 17. Senator Dickey moved that the section pass as read. Seconded by Senator Wilcox and carried.

Senator Achi moved to amend the title by substituting the words "Be it enacted by the Legislature of the Territory of Hawaii" for the words "Be it enacted by the Senate and House of Representatives of the Territory of Hawaii." Seconded by Senator C. Brown and carried.

Senator Dickey moved that the bill pass second reading as amended, and be read third time on Monday, the 16th. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 73, entitled "An Act to amend Chapter LVII. of the Laws of 1892, entitled 'An Act to reorganize the Judiciary Department' by amending Sections 2, 5, 6, 15, 22, 26, 30 (as amended by Act 19 of the Laws of 1901), 31 (as amended by Act 6 of the Special Session of 1898), 36, 37, 38 (as amended by Act 56 of the Laws of 1898), 49, 53, 56 (as amended by Act 12 of the Laws of 1896), 59, 68 (as amended by Act 56 of the Laws of 1896), 71, 74 (as amended by Section 2 of Act 40 of the Laws of 1898), 75 and 80, and repealing Sections 25, 28, 34 and 35 thereof."

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Isenberg and carried.

Senator Achi moved that the bill be read third time on Monday, the 16th. Seconded by Senator J. T. Brown and carried.

Second Reading of Senate Bill No. 33, entitled "An Act to provide for the payment by the Territory of Hawaii of additional salaries to the Judges of the Circuit Courts of the several Judicial Circuits of this Territory."

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Isenberg and carried.

Senator Achi moved that the bill be read third time on Monday, the 16th. Seconded by Senator Isenberg and carried.

Second Reading of Senate Bill No. 70, entitled "An Act relating to the Garnishee of Government Beneficiaries and repealing Chapter 50 of the Session Laws of 1890."

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Isenberg and carried.

Senator Isenberg moved that the bill be read third time on Monday, the 16th. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 38, entitled "An Act to authorize Licenses for Sales of Wine, Ale, Beer, Cider and Spirits by Retail Grocers."

Senator C. Brown moved that the bill be laid on the table. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 79, entitled "An Act to amend Section 1280 of the Civil Code amended by Chapter 24 of the Session Laws of 1882."

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Senator Dickey moved that the bill be read third time on Monday, the 16th. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 84, entitled "An Act to provide for the incorporation and government of Cities within the Territory of Hawaii."

Senator Dickey moved that the bill be referred to a special committee. Seconded by Senator Isenberg and carried.

Second Reading of Senate Bill No. 85, entitled "An Act to amend Section 1 of Act 12 of the Session Laws of 1898, entitled 'An Act to encourage the cultivation of Coffee and Ramie.'"

Senator Dickey moved that the bill be referred to the Ways and Means Committee. Seconded by Senator Isenberg and carried.

Second Reading of Senate Bill No. 86, entitled "An Act to amend Sections 2, 29, 51, 55, 57, 58, 70, 71, 72 and 79 of Act 51 of the Session Laws of 1896, and being Sections 805, 832, 854, 860, 861, 873, 874, 875 and 882 of the Civil Laws relating to Internal Taxes."

Senator C. Brown moved that the bill be referred to the Ways and Means Committee. Seconded by Senator Isenberg and carried.

Second Reading of Senate Bill No. 87, entitled "An Act to regulate the manner of giving notices of Meetings of Boards of Registration."

Senator Achi moved that the bill be referred to the Committee on Miscellaneous Petitions. Seconded by Senator Paris and carried.

Under suspension of the rules, Senator Crabbe gave notice of intention to introduce a bill entitled "An Act to remit the Taxes for a period of 5 years on the Pacific Heights Electric Railway."

Senator Paris for the Committee on Ways and Means, to whom was referred Senate Bill No. 68, reported as follows:

Honolulu, T. H., March 13, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Ways and Means, to which was referred Senate Bill No. 68, being "An Act to amend Section 812 of Chapter 59 of law relating to internal taxes and add a new section called Section 812A," begs leave to report that said Bill No. 68 changes the existing law only by prescribing a specific tax upon automobiles of five dollars and two dollars on bicycles, heretofore taxed as personal property. We be-





Senator C. Brown moved that wherever the word "Monday" appears in the Journal to add the words "the 16th." Seconded by Senator J. T. Brown and carried.

Senator J. T. Brown moved that the Journal be approved as amended. Seconded by Senator C. Brown and carried.

Senator Dickey presented 3 petitions, 2 from teachers on the Island of Hawaii, and 1 from teachers on the Island of Kauai, protesting against any change in the school system.

The petitions were referred to the Committee on County Bill.

Senator McCandless presented a petition from residents of Kalihi praying that the Electric Street Lights be extended to Kalihi.

The petition was referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Senator Dickey for the Committee on Miscellaneous Petitions reported on the petition of residents of Koolau, Maui, regarding new bridges as follows:

Honolulu, T. H., March 14th, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions, to which the petition from Koolau, Maui, signed by 51 voters asking for an appropriation of Twelve Hundred Dollars for two small bridges, begs leave to report:

The gulches over which these bridges are to be built if the appropriation is made are two very dangerous ones in the District of Koolau. Many narrow escapes from drowning have been experienced at each of these points when the frequent freshets render crossing extremely dangerous. One man was drowned at Waikamoe some years ago.

Your committee recommend that the item be inserted in the Appropriation bill as requested.

C. H. DICKEY,

Chairman.

S. E. KAIUE.

Senator Dickey moved that the report be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Paris and carried.

Senator Wilcox for the Committee on Health and Education, to which was referred the item of "Salary of Registrar General of the Board of Health," reported as follows:

HON. C. L. CRABBE,  
President of the Senate.

Your Committee on Health and Education, to which was referred the item in the Appropriation Bill, "Registrar General, \$900.00," report as follows:

This officer takes the duties of the one for which \$2,400.00 was appropriated during the first period as "Registrar of Deaths." One-fourth of the salary of \$2,400.00 would be \$600.00 for the six months ending December 31st, 1903. Your Committee sees no reason why the pay should be increased and recommend that the item be amended to read

Registrar General . . . . . \$600 00

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS,

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Woods and carried.

Senator C. Brown asked for 5 days more time in which to make a report on the County Bill. Granted.

Senator Kalanokalani introduced the following resolution relating to committees having bills in their possession having to report within 10 days:

#### RESOLUTION.

Be it Resolved, by the Senate of the Legislature of the Territory of Hawaii, That all Committees having in their possession Bills for their consideration and action according to the rules of procedure of this Body for ten (10) days are hereby directed to report immediately thereafter their action on said bills.

D. KALAUOKALANI,  
Senator 3rd District.

Senate Chamber, March 14, 1903.

Senator Kalanokalani moved that the resolution be adopted. Seconded by Senator Achi and carried.

Senator Wilcox introduced a resolution asking for an appropriation for a road from Hanalei to Wainiha as follows:

RESOLUTION.

Resolved, That the sum of thirteen thousand four hundred dollars (\$13,400.00) be inserted in the Appropriation Bill under the Loan Act, for reconstructing road from Hanalei to and including Wainiha, the same to include culverts.

S. W. WILCOX,  
Senator 4th District.

Senator C. Brown moved that the resolution be laid on the table to be considered with the Loan Bill. Seconded by Senator Wilcox and carried.

The Senate proceeded with the order of the day.

Second Reading of Senate Bill No. 82, entitled "An Act relating to the payment of certain bonds, the issue of which by the Governor and Secretary of the Territory of Hawaii has been authorized by Congress."

Senator C. Brown for the Judiciary Committee made a verbal report recommending the passage of the bill.

Senator Achi moved that the report of the committee be adopted. Seconded by Senator C. Brown and carried.

Senator Achi moved that the bill be read third time on Monday, the 16th. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 89, entitled "An Act to regulate and define the Pay of Witnesses."

Senator Paris moved that the bill be referred to the Ways and Means Committee. Seconded by Senator McCandless.

Senator Achi moved as an amendment to refer to the Committee on Miscellaneous Petitions. Seconded by Senator Woods.

The chair put the amendment to refer to the Committee on Miscellaneous Petitions which was lost. The motion to refer to the Committee on Ways and Means was then put and carried.

The chair appointed the following committee on the Municipal Bill: Senators Achi, Dickey and J. T. Brown.

At 10:50 o'clock Senator C. Brown moved to adjourn out of respect to the memory of the late Prince Albert Kunuiakea. Seconded by Senator Kalauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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TWENTY-THIRD DAY.

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Monday, March 16th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Isenberg and Nakapaahu (reported sick) absent.

The Journal of the Twenty-Second Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Baldwin, approved as read.

A communication from the Secretary of the Territory notifying the Senate that the Governor had signed Act 4 on the 13th inst. was read by the clerk as follows:

Honolulu, H. I., March 14th, 1903.

SENATOR C. L. CRABBE,

President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Act on the 13th instant:

"Act 4. An Act to adopt a flag for the Territory of Hawaii."

Very respectfully,

G. R. CARTER,

Secretary of the Territory.

Senator Woods presented a petition praying for an appropriation for road purposes in the District of North Kohala.

The petition was referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Senator Kaiue presented a petition from residents on the Island of Maui praying for an appropriation for repairing and extending the road from Kahului to Iao Valley.

The petition was referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Senator Paris presented a petition praying for various appropriations for improvements in the District of Kau, Hawaii.

The petition was referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Senator C. Brown, arising to a question of privilege, called attention to an editorial in the Advertiser which insinuated that his action in moving to strike out the item of the Electrical Inspector was instigated by the Mutual Telephone Company. He wished to state on the floor of the Senate that the Mutual Telephone Company had nothing to do with the position he took. His motion was made for the reason that he believed that the work could be done by the Superintendent of Government Electric Lights.

Senator McCandless followed with objections to the insinuations of the Advertiser on his own behalf.

Senator Kaiue presented a petition praying for various appropriations for improvements on the Island of Maui.

The petition was referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 88, 90, 91, 93, 95, 96, 97, 98, 99, 100, 101, 103, 106 and 109 printed and ready for distribution.

Senator Baldwin for the Committee on Ways and Means, to which was referred Senate Bill No. 2, reported as follows:

Honolulu, T. H., March 16, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 2, entitled: An Act to repeal Act 29 of the session laws of 1901 relating to income tax, beg leave to report that we have had the same under careful consideration.

This Bill proposed to repeal the law that imposes a tax on incomes of two per cent. (2%).

We are about to pass a County Bill, providing for a division of the Territory into counties. To carry on the government affairs of the country under the proposed county system of government, will call for more funds than the present Territorial system of Government requires. Hence your Committee deem it unwise to repeal, or in any way amend any of the tax laws so as to diminish the receipts from this source of revenue. We therefore recommend that the Act be indefinitely postponed.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Achi moved that the report of the committee laid on the table to be considered with the bill. Seconded by Senator C. Brown and carried.

Senator C. Brown for the Judiciary Committee reported Senate Bill No. 22 as follows:

HONORABLE C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 22, being an Act to regulate the manner of electing Directors and Trustees of corporations, report that they have had same under consideration.

The main object of the Act is to give stockholders the right to cumulate their votes and thus a minority to obtain representation upon the Board of Directors. This, as a rule, is directly in conflict or in opposition to what has been the practice and law in such matters. The object of incorporating is as a rule to relieve individuals from personal liability, to have continuous succession or life for the purpose of carrying on business, and that the majority should rule, and being a majority control the business affairs of the corporation, and as long as such control and conduct is done with due regard to everybody's legal rights in the premises, no one can say nay. There are often differences as to management and conducting of a business of a corporation where the stock is widely distributed and held, and we think the practice heretofore had that those who control the majority of the stock should control as long as no waste, fraud or improper methods are used by such majority, should continue. The Committee believe that there are but few States in the Union that have provisions of this kind on their Statutes. We think that in certain cases this

provision might be hurtful to the best interests of corporations no matter for what purpose incorporated; take, for instance, a corporation that has five Directors, should this Act pass, it would be possible for the minority where the holdings of stock were very close, to have two directors out of the five, and should at any time one of the three that represents the majority on the Board, be absent, the two representing the minority could block and stop all business required to be carried on, should there be a difference on that question among the majority and minority stockholders.

We believe that no change is necessary in our existing law on the matter, and that it is better for the interests of all stockholders in corporations that the law remain as it is.

We therefore recommend that the Bill be indefinitely postponed.

Honolulu, March 16, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator C. Brown moved that the bill be laid on the table to be considered when House Bill No. 34 is taken up. Seconded by Senator Dickey and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 87 as follows:

Honolulu, T. H., March 16, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions, to which Senate Bill No. 87, an Act to regulate the manner of giving notices of Boards of Registration, was referred, has had the same under consideration, and report:

Many complaints have been made in all parts of the Islands that Boards of Registration have not given the people sufficient notice to insure their being able to appear for registration. The present law only compels them to give due notice of meetings and some boards have construed this to allow a notice of a few hours sent ahead by a policeman to be sufficient. The bill under consideration compels the publication of all notices for three weeks in Hawaiian and English in newspapers of general circulation in the District which will give ample notice to all.

Your Committee recommends that the Bill pass.

C. H. DICKEY,  
Chairman.  
S. E. KAIUE.  
D. PAUL R. ISENBERG,

Senator Paris moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator McCandless and carried.

Senator Dickey presented a petition from public teachers of Hawaii against any change in the school system.

The petition was referred to the Committee on County Bill.

Senator Woods presented a resolution asking the Governor of the Territory of Hawaii for certain information relating to claims against the Republic of Hawaii for ill-treatment in 1895 as follows:

#### RESOLUTION.

Whereas, the Governor, in his first Message to the Legislature, has asked for an appropriation to pay the expenses of a Commission to inquire into, and decide upon the validity and magnitude of certain claims heretofore lodged against the late Republic of Hawaii, by certain persons of foreign citizenship, for alleged ill-treatment by the Government of said Republic, during the year 1895, in connection with a riot which occurred in or near Honolulu on January 6-7, of said year; and,

Whereas, it has long been understood that the Governments of said claimants respectively have ever since been, and are now pressing said claims for settlement, before the Government of the said late Republic, and the Government of the United States, in succession thereto; and,

Whereas, it is the sense of the Senate of this Territory that such claims should be promptly adjusted, and if found to rest in justice and equity, that they should be paid, without further unnecessary delay;

Now, Therefore, It Is hereby Resolved, by the Senate of the Territory of Hawaii, That the Governor be, and he is hereby requested to furnish the Senate, as promptly as may be, with all the information at his command, upon the following points, viz:—

1. Was it, or was it not, either tacitly or expressly agreed or understood between the Government of the late Republic and that of the United States, at or about the time of the annexation of these Islands by the United States, that the United States would undertake to, or would adjust said claims with the Governments who were pressing for settlement of the same, and would pay or otherwise settle the same with such said foreign governments?

2. If the Government of the United States did not so agree, or give it to be understood by the Government of the said late Republic, what was the understanding, if any, reached between said two Governments concerning said claims, and the manner of their proposed adjustment and payment?



3. Had the Governor in mind, at the time of sending his said Message to this Legislature, the kind of character of a Commission to which he proposes or desires that the adjustment of said claims be referred to? And, if so, is it proposed or desired by the Governor, that such Commission shall be appointed by said Governor, or by the President of the United States, or by some other person or official? And, if by some other person or official, then by what other person or official?

4. Has the Governor any definite views or intentions as to the nationality or the personnel of which such Commission should be composed? And, if the appointment thereof should be left to said Governor, by this Legislature, what general principle would said Governor follow, in the selection and appointment of such Commission, and of how many persons does the Governor think the same should be composed?

5. Does not the Governor believe that the better and more equitable method of such adjustment of said Claims would be to refer the same either to The Hague Tribunal, or to the arbitration of some foreign Sovereign or Jurist,—and if he does not so believe, what reasons has the Governor for a contrary opinion?

6. What special advantage does the Governor claim, in favor of a submission of said Claims upon the evidence contained in the affidavits already submitted, pro and con? And can the Governor assure this Legislature that such submission would be agreeable to said foreign Governments, so pressing said Claims?

7. Is it not true that the several sums mentioned by the Governor, in a later communication to the Senate, as being the several amounts for which said Claimants or their respective Governments made claims in the premises, were merely tentatively put forth by said Governments, or by the representative of the British Government, as sums for which said British Government would be willing to adjust said Claims, if the same should be then immediately paid, and the principle involved in said Claims should be frankly and promptly acknowledged by the Government of said Republic? And that said figures in no sense represented, or now represent, the sum for which said Claims of foreign claimants (other than citizens of the United States) could or can now be settled?

AND THE GOVERNOR IS HEREBY FURTHER REQUESTED to attach to his reply to this Resolution a copy and copies of all correspondence with the Government of the United States, as touching the character or nationality or personnel of such proposed Commission, the willingness or otherwise of the Government of the United States to settle and pay

said Claims, and any other feature which will serve to enlighten or advise the Senate in its action upon said recommendation of the Governor.

Dated this 14th day of March, 1903.

PALMER P. WOODS,

Senator, First Senatorial District.

Senator Achi moved that the resolution be referred to the Judiciary Committee. Seconded by Senator Dickey and carried.

Senator Dickey presented a resolution that the Judiciary Committee be instructed to bring in a bill for an act to carry out the recommendation of the Governor as to a Commission to hear and determine political claims of 1895 as follows:

#### RESOLVED

That the Judiciary Committee be instructed to bring in a bill for an Act to carry out the Governor's recommendation as to a Commission to hear and determine political claims arising out of the Status of Martial Laws in the year 1895 or to report as to the advisability of such an Act.

C. H. DICKEY,

Senator 2nd District.

Senator Dickey moved that the resolution be adopted. Seconded by Senator Baldwin and carried.

Senator Achi gave notice of intention to introduce a bill entitled "An Act to amend Act 64 of the Session Laws of 1896 by adding a new section to be numbered Section 71A."

Under suspension of the rules Senator Achi introduced a bill entitled "An Act to amend Act 64 of the Session Laws of 1896 by adding a new section to be numbered Section 71A."

Senator Achi moved that the bill pass first reading and be referred to the Printing Committee. Seconded by Senator McCandless and carried.

Senator Achi introduced a resolution asking for an appropriation for repairing road to new cemetery at Kalihi as follows:

#### RESOLUTION.

Whereas, the Board of Health intends to open a Cemetery at Kalihi Valley;

And, whereas, the road leading to the premises is not in good condition,

Be It Resolved, by the Senate, That the sum of \$5,000.00 may be inserted in the Loan or Appropriation Bill for said road.

W. C. ACHI,

Senator 3rd District.

Senator Achi moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator J. T. Brown and carried.

Senator Paris presented a resolution asking that an appropriation be inserted in the Appropriation Bill to repay the Kohala Club Stables for money collected illegally as follows:

#### RESOLUTION.

Resolved, That the sum of \$54.00 may be inserted in the Appropriation for Unpaid Bills, for money collected illegally from the Kohala Club Stables.

March 16, 1903.

J. D. PARIS.

Senator 1st District.

Senator Paris moved that the resolution be referred to the Committee on Ways and Means. Seconded by Senator McCandless and carried.

Senator C. Brown, under suspension of the rules, reported for the Printing Committee that Senate Bill No. 102 and the answer of the Treasurer regarding revenue receipts of the Territory had been printed.

The President here called the Vice President to the chair.

Senator Crabbe introduced a bill entitled "An Act to amend Act 51 of the Session Laws of 1896, entitled 'An Act relating to Internal Taxes and to repeal Chapter 61 of the Session Laws of 1892 relative thereto, approved June 3, 1896 and to repeal Section 18 thereof.'"

Senator Crabbe moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

The Senate proceeded with the order of the day.

Second reading of House Bill No. 34, entitled "An Act to better define and regulate the manner of electing Directors and Trustees of Corporations."

Senator McCandless moved to postpone consideration until Wednesday, the 18th, to be considered with Senate Bill No. 22. Seconded by Senator Dickey and carried.

Third reading of Senate Bill No. 19, entitled "An Act to regulate the practice of Dental Surgery in the Territory of Hawaii."

Senator Crabbe moved to amend line 2 of section 5 by striking out the words "or who has had at least two years practical experience in a dental office." Seconded by Senator Paris.

Senator McCandless moved as an amendment to postpone consideration of the bill until Wednesday, the 18th. Seconded by Senator Achi.

The chair then put the amendment to postpone consideration which was lost.

The motion of Senator Crabbe then carried.

Senator Achi moved to substitute section 8 as in the original bill for section 8 as amended. Seconded by Senator McCandless and carried.

Senator Dickey moved to amend line 3 of section 8 by striking out the words "the license." Seconded by Senator Paris and carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, McCandless, Paris, Wilcox and Woods—10.

Noes: Senators Achi, Kalauokalani and Kaohi—3.

Not Present: Senators Isenberg and Nakapaahu—2.

At 12:05 o'clock Senator Crabbe moved to take a recess until 2 o'clock. Seconded by Senator Woods and carried.

## AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

Under suspension of the rules Senator McCandless gave notice of intention to introduce a bill entitled "An Act relating to the Office of the Superintendent of Public Works and prescribing certain duties in connection therewith."

Senator McCandless introduced a bill entitled "An Act relating to the Office of the Superintendent of Public Works and prescribing certain duties in connection therewith."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator C. Brown and carried.

Under suspension of the rules Senator C. Brown presented a petition from Henry Simth praying that the sum of \$24.43 overpaid as taxes for 1902 be refunded.

The petition was referred to the Committee on Miscellaneous Petitions.

Senator Dickey gave notice of intention to introduce the following bills:

"An Act to provide for registering and confirming land titles."

"An Act relating to foreign corporations and incorporated Companies, amending Sections 1 and 3 of Act 45 of the Session Laws of 1896."

"An Act to amend and repeal certain miscellaneous laws relating to Corporations."

"An Act relating to partnership, amending Section 4 of Chapter LXX. of the Session Laws of 1886 and repealing Section 2 of Chapter XXVIII. of the Session Laws of 1880."

"An Act relating to the incorporation of Banking Companies, amending and repealing certain laws on that subject."

Under suspension of the rules Senator Dickey introduced a bill entitled "An Act to provide for registering and confirming titles to Land."

Senator Dickey moved that the bill pass first reading. Seconded by Senator McCandless and carried.

Senator Dickey introduced a bill entitled "An Act relating to Foreign Corporations and Incorporated Companies, amending Sections 1 and 5 of Act 45 of the Session Laws of 1898."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

Senator Dickey introduced a bill entitled "An Act to amend and repeal certain miscellaneous laws relative to Corporations."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

Senator Dickey introduced a bill entitled "An Act relating to Partnerships, amending Section 4 of Chapter LXX. of the Session Laws of 1886 and repealing Section 2 of Chapter XXVIII. of the Session Laws of 1880."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act relating to the Incorporation of Banking Companies, amending and repealing certain laws on that subject."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani and carried.

Senator Woods gave notice of intention to introduce a bill entitled "An Act to permit the distillation of Spirits and of Spirituous Liquors in this Territory, and the sale thereof, and to repeal all laws which prohibit such Distillation and Sale."

Third Reading of Senate Bill No. 33, entitled "An Act to provide for the payment by the Territory of Hawaii of additional salaries to the Judges of the Circuit Courts of several Judicial Circuits of this Territory."

Senator McCandless moved to defer action. Seconded by Senator Dickey and lost.

Senator Paris moved to amend section 1 by inserting \$500.00 in place of \$1,000.00 after the words "Fourth Circuit." Seconded by Senator Kalauokalani and carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, C'rabbe, Kaiue, Paris, Wilcox and Woods—9.

Noes: Senators Dickey, Kalauokalani, Kaohi and McCandless—4.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of Senate Bill No. 68, entitled "An Act to amend Section 812 of Chapter 59 of the Laws relating to Internal Taxes and add a new section called Section 812A."

Senator Dickey moved to postpone consideration until tomorrow. Seconded by Senator Achi and carried.

Third Reading of Senate Bill No. 70, entitled "An Act relating to the Garnishee of Government Beneficiaries and repealing Chapter 53 of the Session Laws of 1890."

Senator Dickey moved to amend line 1 of section 1 by striking out the words "be and the same." Seconded by Senator Baldwin and lost.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, C'rabbe, Dickey, Kaiue, Kalanokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of Senate Bill No. 73, entitled "An Act to amend Chapter LVII. of the Laws of 1892, entitled 'An Act to re-organize the Judiciary Department' by amending Sections 2, 5, 6, 15, 22, 26, 30 (as amended by Act 19 of the Laws of 1901), 31 (as amended by Act 6 of the Special Session of 1898), 36, 37, 38 (as amended by Act 56 of the Laws of

1898), 49, 53, 56 (as amended by Act 12 of the Laws of 1896), 59, 68 (as amended by Act 56 of the Laws of 1896), 71, 74 (as amended by Section 2 of Act 40 of the Laws of 1898), 75 and 80, and repealing Sections 25, 28, 34 and 35 thereof."

Senator Achi moved to insert in Section 22 the words "First day of May, 1903." Seconded by Senator C. Brown and carried.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris and Wilcox—12.

Noes: None.

Not Present: Senators Isenberg, Nakapaahu and Woods—3.

At 3:35 o'clock Senator Baldwin moved to adjourn until 10 o'clock tomorrow. Seconded by Senator Kalauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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## TWENTY-FOURTH DAY.

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Tuesday, March 17, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Isenberg and Nakapaahu (reported sick) absent.

The journal of the twenty-third day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kaiue, approved as read.

A communication from the clerk of the House of Representatives transmitting House Concurrent Resolution No. 3 was read by the clerk as follows:

Honolulu, H. T., March 16th, 1903.

To the Hon. President  
and Members of the Senate:

I have the honor to herewith transmit House Concurrent Resolution No. 3, duly adopted by the House of Representatives on the 13th day of March, A. D. 1903.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

HOUSE CONCURRENT RESOLUTION NO. 3.

Introduced by Mr. Pulaa.

Whereas, by the annexation of the Republic of Hawaii to the United States as a Territory, we entered into a new era; therefore

Be it Resolved, by the House of Representatives, the Senate concurring, That it is the sense of the Legislature of the Territory of Hawaii that it would be for the benefit of all that the Governor may pardon all those who were convicted, and discharged from jails, of criminal cases, giving them the benefit of voting hereafter.

Senator Baldwin moved that the resolution be referred to the Judiciary Committee. Seconded by Senator Woods and carried.

Senator Wilcox for the Committee on Health and Education reported on various petitions relating to changes in the school system of this Territory as follows:

Honolulu, March 17, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee upon Health and Education, to which has been referred thirteen petitions concerning a proposed change in the present system of Public School Administration, begs leave to report as follows:

Of the thirteen petitions, one, containing twenty-nine names, is in favor of a change, the remaining twelve, containing three



hundred and forty-six names, desire no change in the present public school system. There is also a resolution from the Maui Teachers' Association expressing confidence in the present method of conducting educational affairs within the Territory and recommending that the school system be continued as at present.

Your committee has very carefully considered this matter, which it deems one of the most important in the Territory. It has held several meetings and has consulted with a number of people. Your committee finds that the present public school system is not an experiment but has been evolved gradually as the result of the experience of two generations, and has been built up to suit local conditions by some of the most intelligent, well-trained and public-spirited men on these Islands.

Visitors from the Mainland, who have given special attention to school matters, speak in the highest terms of the school system and the results obtained. They consider that it is the present centralized system which enables the country schools to be carried on in the efficient manner in which they have been. The present system has attracted a considerable body of skilled instructors from the Mainland, and most of these speak in the highest terms of the present system, as giving them an assurance of employment and a freedom from the corrupting influences of political control, which, unfortunately, have produced such evil results elsewhere.

The quality of the instruction imparted can be shown not only by the success of many of our sons and daughters in the large institutions on the Mainland and in Europe, but can also be gauged by the success of our educational exhibits at various International and other expositions. At the last Paris Exposition only three first prizes for educational exhibits were awarded to the American States and Territories. These were to Massachusetts, New York and Hawaii.

Among the petitions which have come into the hands of your committee some cogent arguments are set forth, from which it may not be amiss to quote. It is pointed out that the majority of the people of various races are unfamiliar with education matters, and by a large proportion the aims, the methods, the conduct and the needs of education are not appreciated. It should likewise be taken into consideration that apart from the native Hawaiian, large numbers of the population are either actively hostile or totally indifferent to education. The localizing of the schools would inevitably bring them under these influences and into the political fields. Here, as elsewhere, political reasons and influences would govern the appointment and dismissal of teachers, fixing the length of terms, etc., and the amount of salaries. The policy of education would vary with the policy of the county and no clear-cut policy and uniformity of administration could be carried out for long.

At the present time the schools in every part of the Islands are kept open for a full uniform school year and the teachers earn a full year's pay. They can count upon employment for a full year, dependent of course upon ability and good behavior. That such is not the case upon the Mainland is well known. A recent educational journal commenting upon this matter quotes a county in Indiana where the term lasts but 82 days, and another where the term is but 122 days, instead of 200 days, as here in Hawaii. In the first county the average salary for the term is \$114. In this Territory the lowest salary paid to uncertificated teachers is \$300 and certificated teachers who have passed through the Normal School commence with a salary of \$50 a month, paid regularly throughout the year. This salary gradually increases.

Another point which it is well to dwell on is that the salaries of teachers are paid without regard to sex. In many parts of the mainland there is a different rate for male teachers and for female teachers. Here female teachers occupying responsible positions receive exactly the same salary as men do who perform similar work. Again teachers of equal standard receive the same salary whether they are in Honolulu, on Kauai, or in Kau. Of the teachers who completed their course in the Normal School last year, your committee finds that one went to Kau, one to Lahaina, three to Kauai, two to Koolauloa, and one to Koolaupoko, and each started with the same initial salary. Of these teachers two were Hawaiians, three were part Hawaiians, two were German, and one Japanese. Your committee gathered a considerable amount of information upon this point but the above will suffice.

The counties have not yet been organized and they will have much to do in the way of organization. The present system of education is well organized and has proved very satisfactory. To disorganize the educational system at the present time would be to throw back the education of the Territory for twenty-five or thirty years. Your committee would therefore strongly recommend that the present school system of the Territory be kept as it is, and that it should not be put under county control.

In conclusion your committee would quote the following "Contrast the Hawaiian system with that prevailing in many locally-managed districts in the States, where, through mistaken ideas of economy, teachers' positions are practically auctioned off to the lowest bidder. This course has banished teachers of ability from thousands of American schools and has put incapable and inexperienced persons in their places. This danger we court when we localize our schools, and avoid if we leave them as they are.

As a part of the United States, the conditions of life in Hawaii will undoubtedly grow increasingly strenuous. The day

of sentiment in business—the time when Hawaiians are given positions solely because they are Hawaiians,—is rapidly passing away. The time is approaching when the Hawaiian must compete for employment on equal terms with other nationalities. Since the public schools afford almost the only preparation for business life, to diminish their efficiency at this critical period would inflict untold and irreparable injury upon the rising generations, who will be dependent upon their own unaided exertions for a livelihood.

In addition to the above quotation it may be said that the Territory of Hawaii has a sound educational policy. This policy has produced schools which can be measured by results. It has fitted Hawaiians, and those of other nationalities to fill positions of trust, honor and emolument. Some of the Senators and Representatives in this Legislature have attained their present positions in life owing to the Hawaiian School System. If it has done well in the past it certainly should do well in the future and your honorable body, in the estimation of your committee, should hesitate in pulling down an admirable and tried system, which has grand results to point to, in order to commence an experiment, when everything else will be experimental. It would be wisdom to be sure of all other systems before we begin to do away with a school system which has done us the best of service in the past, and looks as if it will give us the best of service and success in the future.

S. W. WILCOX,  
H. P. BALDWIN,  
PALMER P. WOODS.

Senator Crabbe moved that the report of the committee be laid on the table to be considered with the County Bill. Seconded by Senator C. Brown and carried.

Senator Wilcox for the same committee reported on the petition praying for the establishment of Kindergarten instruction as follows:

Honolulu, T. H., March 17, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Your Committee on Health and Education, to whom was referred a Petition for establishing Kindergarten instruction in connection with the Normal School, and asking that the Legislature appropriate sufficient funds therefor, have had the same under consideration. We find that the Governor in his Message recommends the establishment of the same; in this way a teaching force will be acquired which may in the future make the introduction of such instruction into the schools a

practical scheme. The Sup't. of Public Instruction, in his Report to the present Legislature, estimated the cost of same as follows: For the first year, \$1,900.00; for the second year, \$1,400.00; a total of \$3,300.00.

Your committee recommends the appropriation of the above amount.

Respectfully submitted,

S. W. WILCOX,  
H. P. BALDWIN,  
PALMER P. WOODS.

Senator Kalaauokalani moved that the report of the committee be laid on the table to be considered with the Appropriation Bill. Seconded by Senator J. T. Brown and carried.

Senator Wilcox for the same committee reported on Senate Bill No. 37 as follows:

Honolulu, T. H., March 17, 1903.

HON. C. L. CRABBE,

President of the Senate.

Your Committee on Health and Education, to whom was referred Senate Bill No. 37, entitled an Act to amend Section 868 of the Penal Laws relating to the Board of Health, has had the same under consideration and find that it is the same as Section 868, except for the insertion of the word "advice" in Section 1, line 6. Your committee would recommend the following amendment: In Section 1, line 8, after the word "pay," insert "Except the President, who shall receive an adequate salary, and shall control and be responsible for the conduct of the Department of Health."

The Acts of the President to be subject to the approval of a majority vote of the Board.

The other members of the Board shall be an advisory body, to be called in conference at the request of the President. Such meeting shall be called not less than twice a month.

With this amendment your committee recommend that the Bill pass.

Respectfully submitted,

S. W. WILCOX,  
H. P. BALDWIN,  
PALMER P. WOODS.

Senator Kalaauokalani moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Paris and carried.

Senator Paris for the special committee, to which was referred several items under the head of Board of Health salaries and expenses, reported for a majority of the committee as follows:

Honolulu, T. H., March 17, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—The majority of your Special Committee to which was referred the following items proposed for the Board of Health appropriation:

Maintenance of Hospitals.....	\$ 6,000.00
Government Physicians . . . . .	40,560.00
Superintendent and Assistants, Insane Asylum	32,000.00

has carefully considered these estimates made by His Excellency the Governor to cover the coming biennial period and begs leave to report upon the same.

The \$6,000, Maintenance of Hospitals, is to be expended as follows: A dispenser of medicines at the Government dispensary at Honolulu at a salary of \$75 per month, a nurse at the dispensary to assist the physician in operations and the dressing of sores and wounds at a salary of \$60 per month, also a janitor at \$10 per month. The balance is contemplated to be used at the Kalihi quarantine hospital. There are times when female patients are taken there, and female nurses are required; also times when the sanitary inspectors are not available for this duty. The committee finds that this item is a proper and necessary one and recommends that it be placed in the act without change.

The Board of Health asked for \$45,560 for pay roll of Government Physicians. His Excellency the Governor reduced the amount to \$40,560 and the majority of your special committee recommend this latter figure as the proper and necessary amount.

We do not believe that it is just or is in the interest of public policy or public health to tamper with the system of Government physicians as it now exists. The salaries allowed these professional men are small and amongst their duties may be enumerated the following: Attending and prescribing for indigent poor in large territories and at all hours. Acting as general sanitary and statistical agents of the Board of Health, furnishing complete monthly reports on births, deaths, marriages, etc. Vaccinating throughout their districts free of charge. Inspection of schools, with responsibility for the general health of all pupils and teachers. Inspecting lodging

houses within their districts. Performing post mortems for which there would otherwise be heavy charges. We believe that as a rule these government physicians, considering their valuable services are really underpaid and we feel that crippling this service in any manner would be serious neglect of a large element of our population and an invitation to such disaster as would be consequent on permitting any contagious or infectious disease securing a foothold and headway through absence of expert supervision and inspection in the interests of the general health. The financial proposal is for a lump sum of \$40,560 to be apportioned equitably by the Board of Health and we endorse this and recommend that it be provided.

The Board of Health asked for \$36,000 for "Superintendent and Assistants, Insane Asylum," being at the rate of \$1,500 per month for twenty-four months. Your committee submits an amended schedule, making two changes in the items of figures and in the total per month as follows:

Medical Superintendent, incumbent to maintain horse and buggy, if same is used by him, at his own expense.....	\$ 185.00
Two Captains, \$75 per month each.....	150.00
One foreman . . . . .	70.00
Twelve Guards at \$50 per month each.....	600.00
Four female nurses at \$50 per month each...	200.00
Taro Man . . . . .	35.00
Cook . . . . .	25.00
Assistant Cook . . . . .	20.00
Laundryman . . . . .	15.00
Gardener . . . . .	15.00
Yardman . . . . .	25.00
Extra Help . . . . .	50.00
	<hr/>
	\$1,390.00

This makes a total for the period of \$33,360.00, which your committee recommends as proper and reasonable amount, being considerably less than asked for by the Board of Health and but a slight increase over the reduction to \$32,000 made in the message of His Excellency the Governor.

All of which is respectfully submitted.

J. D. PARIS,  
PALMER P. WOODS,  
S. W. WILCOX.

Senator Kalaauokalani moved that the report be laid on the table to be considered with the minority report. Seconded by Senator Achi and carried.

Senator McCandless for the special committee, to which was referred several items under the head of Board of Health salaries and expenses, reported for the minority of the committee as follows:

Honolulu, T. H., March 17, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—The minority of your special committee to which was referred three items for the Board of Health appropriation, begs leave to report concurrence with the majority on the two items "Maintenance of Hospitals" and "Pay Roll Superintendent and Assistants, Insane Asylum," excepting to divide the totals by four, thus providing at this time for the six months ending Dec. 31, 1903.

We cannot agree with the majority on the item (third): "Pay of Government Physicians," \$10,140.

The plan of paying doctors to care for the "indigent poor" was adopted some thirty years ago for the benefit, as then set out, of the poorer Hawaiians. The Hawaiians as a whole have never cared for this help or assistance thus provided. They prefer to minister to themselves and seldom send for a Government physician until at the point of death and then it is too late. Your committee believes that if the matter were left to the Hawaiians today they would decide to abolish the system.

The "indigent poor" in the Hawaiian Islands are few and far between and the doctors cannot tell who are poor enough to be charged and who are not. Their rule seems to be to charge everyone they think will pay, no matter how small their pay may be.

Your committee believes that the Board of Health should have a fund with which to defray, in the several districts, such necessary expenses as vaccination, sanitary measures, registration, etc. The minority of your Special Committee therefore recommends that the item "Government Physicians, \$10,140" be stricken out and that there be inserted in lieu thereof the item: "Board of Health Agents, all districts, for the six months ending Dec. 31, 1903, \$5,000."

Respectfully submitted,

C. H. DICKEY,

L. L. M'CANDLESS.

Senator C. Brown moved that both reports be laid on the table to be considered with the bill. Seconded by Senator Kalauokalani and carried.

Senator C. Brown for the special committee on County Bill reported on Senate Bill No. 1 as follows:

HON. CLARENCE L. CRABBE.

President of the Senate.

Sir:—The Special Committee to whom was referred Senate Bill No. 1, being an Act entitled "An Act concerning Counties, and the organization and government thereof, and the management and control of public works and institutions," report that they have had same under consideration.

There is no need for this Committee to enter into a discussion upon the question, or advisability of the object of the Act, as it was the prominent plank in the platform of the Republican Party, and was also a part of the platform of the other political party of the Territory. The Bill as drawn and submitted to the Senate is the work of the Republican County and Municipal Commission appointed by the Chairman of the Republican Convention held in August of last year at Honolulu. The Act speaks for itself and shows that great labor and thought were bestowed upon the subject.

The Committee have made few, if any, amendments, and then only such as it deemed necessary to carry out fully the plan or foundation laid and suggested by the Act; there have however been considerable changes made in matters of form for the purpose only however of avoiding superfluous words and repetitions. The amendments we recommend will be taken up seriatim, commencing with the title and following through to the end in regular line.

We recommend that the title be changed to read as follows:

"An Act providing for the Organization and Government of Counties." This would compare favorably with that portion or Section of the Organic Act which authorizes the Legislature of the Territory to do what it is now attempting to do in this line.

At the end of Sub-division "a" of Section 1, we offer the following amendment: "Inter-Island and also outside Territorial waters within the jurisdiction of Territorial Courts, including the Federal Court, shall be deemed to be a part of the several Counties to which such Inter-Island or outside waters are adjacent. The Courts of the Counties between which are Inter-Island Territorial waters shall have concurrent jurisdiction over the same. Bird Island and Laysan Island and the Territorial waters around the same respectively, shall be part of the County of Oahu within the First Judicial Circuit of the Territory and first taxation division thereof."

The reason being that the Act omits Bird Island and Laysan Island from being a part of any County (this we understand was intentional) the committee, however, have deemed it wise that



those islands should be made a part of the County of Oahu. The Act also omitted Inter-Island and outside Territorial waters outside of the old rule, limit of three nautical miles, the amendment offered it is submitted covers both questions.

At the end of Sub-division "b" of Section 1, we offer the following amendment: "Provided, however, that all that portion of the Island of Molokai known as Kalaupapa, Kalawao and Waikolu, and commonly known or designated as the Leper Settlement, shall not be nor form a part or portion of the County of Maui, but shall be and is hereby constituted a County in itself, and shall be a body corporate and politic, and as such shall have only the powers especially conferred and given by this Section, and shall be known as the County of Kalawao. Except as provided in this Section, none of the provisions of this Act or of any other Act relating to Counties, shall be deemed to refer or apply to or shall be applicable to the said County of Kalawao.

The said County shall be under the direct jurisdiction and control of the Board of Health, and be governed by the rules, regulations and laws now in force relating to said Board of Health and the care and segregation of lepers, except as herein limited. There shall be no County officers in said County other than the District Magistrate and Sheriff who shall be residents of and elected in said County at the first general election to be held under the provisions of this Act and thereafter as provided by law, and who shall each hold office for two years.

The salaries of the District Magistrate and Sheriff shall be fixed and paid by the Board of Health out of the appropriation allowed by the Legislature for the care and segregation of the lepers.

The Sheriff of the County of Kalawao shall preserve the public peace, arrest and take before the Magistrate for examination all persons who attempt to commit or who have committed a public offence, and shall prosecute same to the best of his ability;

Shall have the power to appoint and dismiss and re-appoint at his discretion not more than five policemen for the County, who, for the services rendered as policemen shall receive such pay as the Board of Health shall determine, and which pay shall be taken out of and from the appropriation made by the Legislature for the care and segregation of the lepers;

Shall prevent and suppress affrays, breaches of the peace, riots and insurrections;

Demand the aid of as many male inhabitants of his County as he may think necessary in the execution of his duties;

Take charge of and keep the County jail and the prisoners therein;

Serve all processes and notices prescribed by law, and be ex-officio County Coroner.

The District Magistrate of the County of Kalawao shall have power to hear and determine cases within the limits of the County, and have the same jurisdiction to hear and determine cases as District Magistrates have under the laws of the Territory;

He shall collect the same fees as are collected by other District Magistrates under the laws of the Territory, and shall pay the same over to the Board of Health as a County realization.

In the event of the death, resignation or other disqualification of either the District Magistrate or the Sheriff during his term of office, the Board of Health shall appoint the successor of the one so dying, resigning or disqualifying, and such appointment shall hold good until the next general election and the election of his successor, as the case may be."

The object being to place that portion of Molokai known generally as the Leper Settlement alone, so that its inmates should have no voice nor control in the affairs of the County of Maui, but to a certain extent should have County powers that the inmates of the settlement can avail themselves of only however as specially limited by the proposed amendment.

We recommend the striking out of Section 4 and offer in its place the following amendment:

"Section 4. Each of the several Counties shall be a body corporate and politic, and have the powers specified in this Act and such other powers as are necessarily implied."

The reason being that in Section 1 after each sub-division defining the Counties, we recommend and have stricken out that part thereof defining the corporate and politic powers of each County, thinking it would come more in line under the Chapter declaring the general powers of the Counties.

We recommend striking out sub-division 10 of Section 22; this sub-division gives the Board of Supervisors of each County the power to issue bonds and incur a bonded indebtedness; we think that power should remain for the present with the Legislature.

We recommend inserting in sub-division 16 of section 22 at the commencement of that sub-division after the words "Health Officer," the following "approved by the Territorial Board of Health," and in the same sub-division after the words "Board of Supervisors" on the next line, the same words "approved by the Territorial Board of Health," and by inserting in the next sub-division of the same Section after the words "shall adopt all" the words "made or recommended by the Territorial Board of Health."

The reason being that the Organic Act, Section 97, explicitly and specially places the health laws of the Territory in the jurisdiction of the Government of the Territory, subject, however, to the quarantine laws and regulations of the United States,

and as the Territorial Board of Health works with and subject to the Federal Board of Health, it is thought that in making the amendments above recommended, it may tend to prevent any conflict of authority between the Territorial and County Officers of the Board of Health.

We recommend striking out Section 44, it being unnecessary as the County has by Section 5 the power of holding real and personal property, no matter from whom or how obtained.

We recommend inserting in Section 46 after the word "exercised" the words "and a resident therein for three years immediately preceding such election," the object being to make all County officers eligible for election only after three years residence in the County or District in which the duties of the office they seek to be elected to are to be performed.

We recommend in Section 47 which names the County Officers, some changes; we suggest that the Sheriff be ex-officio the Coroner; that the County Clerk be ex-officio the County Recorder; that the Assessor and Tax Collector be one Officer, and that the Treasurer be also the License Collector; this makes fewer officers, less salaries, and we think the duties can be easily performed by one person holding each office.

These recommendations or suggestions have necessitated amendments in several of the Sections designating the duties of the respective officers, and we have amended those sections accordingly.

We recommend inserting at the end of Chapter 17 which defines the duties of the District Attorney, a new Section as follows, to be numbered 122:

We recommend inserting at the end of Chapter 17 which defines the duties of the District Attorney, a new Section as follows, to be numbered 122:

"Section 122. The District Attorneys of the several Counties shall be deputies of the Attorney General and removable by him for cause shown to the satisfaction of the Justices of the Supreme Court, who are hereby given jurisdiction to hear any cause presented to them by the Attorney General, after notice, on hearing from the District Attorney complained of, to determine whether in their judgment sufficient cause is shown for such removal."

Section 11 of the Organic Act requires all prosecutions to be carried on in the name and by the authority of the Territory; it also provides (Section 71) for an Attorney General to be appointed by the Governor, who shall have the powers and duties that the Attorney General formerly had under the laws of Hawaii, except where such laws had been changed by that Act or modified by the Legislature of the Territory. Under this Chapter, the District Attorney is given authority to conduct all prosecutions on behalf of the people, as well as to defend suits against the Territory, but does not make him

the representative or deputy of the Attorney General. There may be some question, whether, under the provisions of the Organic Act the Legislature can so modify the powers and duties of the Attorney General as to permit him to attend to no public prosecutions or offences, and whether the Counties can themselves either in their own name or in the name of the Territory and by its authority conduct any prosecution for public offences, and to save any complications on this question, we suggest the amendment.

We recommend inserting in Chapter 18, defining the duties of County Recorders, a new Section to be numbered 154.

"Section 154. The County Recorder shall, on application, accept and file in the archives of his office, on the payment of a fee of one dollar, any plan of land, but such plan must contain the name of the owner of the land and his address, the maker's name and address, date of survey, scale, the North point, areas, and the names of adjoining owners. All such plans must be on tracing cloth."

This is to provide for the filing of large maps or plats of land, and to save the expense of reducing such Maps or plans to a scale small enough to be copied in the books used in the Recorder's Office.

Sub-division 2 of Section 186 relating to the mode of raising revenue, we recommend that the Territorial rate of taxation be limited to five mills on the dollar, or one-half of one per cent., and that until the Legislature fixes the rate of taxation for the several Counties, the Board of Supervisors shall not levy nor shall there be collected for the use of the Counties more than five mills on the dollar; in other words, we divide the present rate of taxation.

We recommend striking out Sections 225 and 227 as unnecessary; they state the law as it now is.

We recommend striking out Section 261 as unnecessary; we see no need of providing for the form of a deed from the Tax Collector on a sale for non-payment of taxes.

We recommend striking out of Section 278 all that part commencing after the words "the same County" to the end of the Section, as being unnecessary.

We recommend striking out of Section 281 all after the words "procure it," as being unnecessary.

We recommend striking out Section 287 as it states what is law, and is therefore unnecessary.

We recommend amending Section 296 so that it will read as follows:

"Section 296. The Tax Collector is authorized to issue licenses to sell Awa for each County in the Territory. Each license shall be for the term of one year. The annual fee for a license to sell Awa shall be as follows:

For the County of Oahu: One Thousand Dollars;  
For the County of Maui: Five Hundred Dollars;  
For the County of East Hawaii: Five Hundred Dollars;  
For the County of West Hawaii: Two Hundred and Fifty Dollars;

For the County of Kauai: One Hundred and Fifty Dollars.

By reason of the foregoing amendment, we recommend striking out Sections 297, 298, 299, 300 and 301. Heretofore the licenses for Sale of Awa had to be sold at Public Auction.

We recommend placing the Auctioneer's Licenses as follows (Section 304):

County of Oahu: Six Hundred Dollars;  
County of Maui: One Hundred Dollars;  
County of East Hawaii: One Hundred Dollars;  
County of West Hawaii: Fifty Dollars;  
County of Kauai: Fifty Dollars.

Section 306, prescribing the amount of the bond to be given by an auctioneer, we recommend be amended as follows:

"Section 306. Every person upon receiving an auction license for the County of Oahu, shall give a bond with good and sufficient sureties to be approved by the County Treasurer, to the Territory, in the penal sum of Three Thousand Dollars, and for each other County said bonds shall be for the sum of Five Hundred Dollars each, and subject to like approval of sureties said bonds shall be conditioned.

We recommend striking out Section 310 as unnecessary; it states what is law.

We recommend inserting at the end of Chapter 44 a new Section to be called Section 315:

"Section 315. Any person who shall slaughter any animal for the purpose of exposing beef for sale or sell beef slaughtered by others without first procuring a license, or, who having a license shall fail or neglect to keep the record provided for, under his bond, or, who having a license and having kept a record as provided by his bond, shall fail or refuse to show such record during regular business hours to any person who may desire to examine the same, or who shall keep a faulty record, or who shall violate or fail to observe any of the requirements of law or his license, shall upon conviction be fined not less than twenty-five nor more than fifty dollars for each offence."

This amendment is suggested in order to make the law enforceable by having a penalty affixed for failure to observe and keep the conditions named.

We recommend making the license fee for carrying on a livery stable, Fifty Dollars (Section 330).

We recommend amending Section 341 relating to the license for selling goods, wares and merchandise, so that all licenses where the sales are less than \$10,000 shall be Fifty Dollars per annum; for all sales over Ten Thousand and not more

than One Hundred Thousand Dollars, at One Hundred Dollars; over \$100,000 and not more than \$500,000, at \$250; and over \$500,000, at \$500 per annum.

Following out the suggestions of the Bill introduced by Senator Kalaauokalani, and referred to this committee, we recommend inserting a new Section to be called Section 334, to read as follows:

"Section 334. The annual fee for a license to keep, conduct or carry on a tailoring or dressmaking establishment, or business, shall be Twenty Dollars; provided, however, that no license shall be necessary or required when the work or tailoring or dressmaking shall be done or performed in the private residence of another."

We recommend making the fee for a license to peddle cake, ten instead of Twenty-five Dollars, thinking the last named figure too high.

We recommend striking out Section 414, as the provisions it contains have already been provided for in Chapter 64.

The committee has had referred to it petitions for and against the Public Schools coming under the jurisdiction and supervision of the several Counties; we do not believe it would be wise to make any change in the educational system of the Territory, and recommend that no change be made.

We recommend striking out Sections 417 and 418, Chapter 68, relating to the Board of Health, they being unnecessary. The amendment relating to the County of Kalawao containing the provisions that might have been necessary to enact for the continuance of the Leper Settlement under its care and custody. We recommend that Section 422 be amended by striking out the words "fifteen per cent. of the gross amount of water rates which he may collect" and inserting in their place the words "a salary of Three Thousand Dollars a year."

Section 427. We recommend that the water rates be paid in to the Treasurer daily, instead of quarterly.

We recommend inserting in Section 523 the following sum of money: Seven Hundred and Twenty-five Thousand Dollars (\$725,000) to be divided amongst the several Counties as follows:

Oahu: Five Hundred and Twenty Thousand Dollars;

West Hawaii: Forty-five Thousand Dollars;

East Hawaii: Fifty-five Thousand Dollars;

Maui: Sixty Thousand Dollars;

Kauai: Forty-five Thousand Dollars;

thinking it will be sufficient for the purposes contemplated and provided for by that Section.

At the end of Section 524 we recommend an amendment providing that in the event of any provision of this Act being held invalid, the Act or part of an Act which such provision was intended to take the place of, should thereupon be of full

force and effect, as if the same had not been repealed. To cover this we recommend inserting the following : "Provided, however, that if any provision of this Act shall be held to be invalid, the Act or part of an Act of which such provision is intended to take the place, shall thereafter be of full force and effect to all intents and purposes, as if the same were not herein repealed."

This amendment will in our opinion prevent chaos, or an interregnum, should the Courts hold any part of this Act unconstitutional, or decide that the Legislature has in any way exceeded the power conferred on it by the Organic Act. The committee submits herewith a copy of the Act with all changes made, and the amendments recommended by them, and in that form we recommend the passage of the Act, trusting that it is a step taken in our political history that will never be regretted or disapproved of.

Honolulu, March 17th, 1903.

Respectfully submitted,

CECIL BROWN,  
H. P. BALDWIN,  
L. L. McCANDLESS,  
J. D. PARIS.

Senator Kalaauokalani moved that the report of the committee be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

Under suspension of the rules Senator Achi moved to reconsider referring the report to the Printing Committee. Seconded by Senator Dickey and lost.

Senator C. Brown moved that the Printing Committee be authorized to amend the Hawaiian version of the bill so as to conform with the English and that 6 copies be typewritten. Seconded by Senator Baldwin and carried.

At 11:50 o'clock Senator McCandless moved to take a recess until 2 o'clock. Seconded by Senator C. Brown and carried.

#### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 108 and 110 printed and ready for distribution.

Senator C. Brown gave notice of intention to introduce a bill entitled "An Act to provide for the publication of One Volume of Reports of the Decisions of the United States District Court of the Territory of Hawaii."

Senator Achi gave notice of intention to introduce a bill entitled "An Act to Create a Toll on all Freight which may be brought in this Territory."

Senator Achi introduced a resolution asking for an appropriation of \$10,000.00 to reimburse the Chamber of Commerce and Merchants' Association for money expended by J. G. Pratt at Washington as follows:

RESOLUTION.

Be it Resolved by the Senate that the sum of \$10,000.00 may be inserted in the appropriation bill for money advanced by the Chamber of Commerce and Merchants' Association to J. G. Pratt, Esq., and for services rendered by him at Washington relating to payment of Fire Claims.

W. C. ACHI,

Senator 3rd District.

Senator C. Brown moved that the resolution be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Achi and carried.

The Senate proceeded with the order of the day.

Third Reading of Senate Bill No. 68, entitled "An Act to amend Section 812 of Chapter 59 of Laws relating to Internal Taxes and add a new Section called Section 812A."

Senator Dickey moved to amend the title by substituting the words "9 of Act 51 of the Session Laws of 1896" in place of the words "812 of Chapter 59 of Law" and "9A" in place of "812A." Seconded by Senator Wilcox and carried.

Senator Dickey moved to amend Section 1 by substituting "Section 9 of Act 51 of the Session Laws of 1896 is" in place of "Sections 812 and 812A of the Laws compiled by Sidney M. Ballou are." Seconded by Senator Wilcox and carried.

Senator Dickey moved to amend Section 1 by inserting "Section 9" in place of "Section 812" and "Section 9A" in place of "Section 812A." Seconded by Senator Wilcox and carried.

Senator Dickey moved to amend the last Section by inserting the words "its approval" in place of the words "the day of its publication." Seconded by Senator Wilcox and carried.

Senator Achi moved that lines 7, 8 and 9 of Section 1 be stricken out. Seconded by Senator McCandless and lost.

Senator McCandless moved to amend line 8 of Section 1 by substituting "One Dollar (\$1.00)" for "Two Dollars (\$2.00)." Seconded by Senator Kalauokalani and carried.



The bill passed third reading as amended upon the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, McCandless, Paris and Wilcox—10.

Noes: Senators Achi and Kaohi—2.

Not Present: Senators Isenberg, Nakapaahu and Woods—3.

Third Reading of Senate Bill No. 79, entitled "An Act to amend Section 1280 of the Civil Code amended by Chapter 24 of the Session Laws of 1882."

Senator Dickey moved to amend by striking out in lines 4 and 5 of Section 1 the words "when they do not reside in the District where such Court is held." Seconded by Senator Achi and carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, Paris and Wilcox—11.

Noes: Senator McCandless—1.

Not Present: Senators Isenberg, Nakapaahu and Woods—3.

Third Reading of Senate Bill No. 82, entitled "An Act relating to the payment of certain Bonds, the issue of which by the Governor and Secretary of the Territory has been authorized by Congress."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris and Wilcox—12.

Noes: None.

Not Present: Senators Isenberg, Nakapaahu and Woods—3.

Second Reading of Senate Bill No. 2, entitled "An Act to repeal Act 20 of the Session Laws of 1901 relating to Income Tax."

Senator Achi moved to defer action until Monday the 23rd.

Seconded by Senator McCandless and lost.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Under suspension of the rules Senator Achi gave notice of intention to introduce a bill entitled "An Act to amend some Sections of Act 20 of the Session Laws of 1901."

Second Reading of Senate Bill No. 87, entitled "An Act to regulate the Manner of giving Notices of Meetings of Boards of Registration."

Senator Paris moved to amend by adding to Section 1 the words "and by posting notices in at least three places in each District." Seconded by Senator McCandless and carried.

Senator Dickey moved that the bill pass second reading as amended. Seconded by Senator C. Brown and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator J. T. Brown and carried.

Second Reading of Senate Bill No. 88, entitled "An Act to provide for the preservation, extension and utilization of Forests and Forest Reserves." Referred to Special Committee on Forestry and Agriculture.

Second Reading of Senate Bill No. 90, entitled "An Act to Encourage the Kona-Kau Railway Co., Ltd." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 91, entitled "An Act Relating to Fisheries, repealing certain Laws on that subject." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 93, entitled "An Act Relating to Escheat of Lands, amending Chapter VIII. of the Session Laws of 1886." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 95, entitled "An Act to amend Sections 1292, 1295 and 1296 of the Civil Code relating to Married Women." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 96, entitled "An Act Relating to Marriage Contracts, amending Section 1 of Chapter XXIII. of the Session Laws of 1872." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 97, entitled "An Act to repeal certain Laws relating to Census." Referred to Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 98, entitled "An Act relating to the Protection of Birds, amending Section 3 of Chapter LXXXV. of the Penal Code (as amended by Section 1 of Chapter XIII. of the Session Laws of 1870), and repealing Chapter XLI. of the Session Laws of 1892." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 99, entitled "An Act Relating to Mongoose, repealing Section 2 of Chapter XLVIII. of the Session Laws of 1892." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 100, entitled "An Act to amend Sections 1252 and 1255 of the Civil Code, relating to the Registrar of Conveyances, and to repeal Section 1254 of said Code relating to said subject." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 101, entitled "An Act to repeal Act 24 of the Laws of 1895, entitled 'An Act to prevent the bringing of Actions against Officers of the Government or others for Acts done in suppressing Rebellion.'" Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 102, entitled "An Act to prevent the furnishing of Intoxicating Liquors to Inebriates or Minors." Referred to the Committee on Health and Education.

Second Reading of Senate Bill No. 103, entitled "An Act to declare the effect of an Adoption of a Child." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 106, entitled "An Act relating to the Exemption of certain personal property from Attachment, Execution and Forced Sale, and to repeal an Act entitled 'An Act to provide for the Exemption of certain Personal Property from Attachment, Execution, Distress and Forced Sale of every nature and description,' and repealing an Act entitled 'An Act to facilitate the Recovery of Rents, passed on the tenth day of January, 1865, and all other laws and parts of laws in conflict with this Act,' approved April 24th, 1901."

Senator C. Brown moved to amend by striking out of line 3 of Section 13 the words "the officer or such other person or by" and striking out the word "passage" in Section 12 and inserting the word "approval." Seconded by Senator Dickey and carried.

Senator Dickey moved that the bill pass second reading as amended. Seconded by Senator C. Brown and carried.

Senator McCandless moved that the bill be read third time tomorrow. Seconded by Senator Kalaauokalani and carried.

Second Reading of Senate Bill No. 107, entitled "An Act making Special Appropriations for the Departmental Use of the Territory during Six Months from July 1st, A. D. 1903, which will end with the thirty-first day of December, A. D. 1903."

Senator Achi moved to defer action until tomorrow. Seconded by Senator Dickey and carried.

Second Reading of Senate Bill No. 109, entitled "An Act to repeal certain Laws relating to Trial by Referees." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 115, entitled "An Act to provide for Registering and Confirming Titles to Land." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 108, entitled "An Act relating to the Writ of Habeas Corpus, amending and repealing certain laws on that subject." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 110, entitled "An Act to amend Act 51 of the Session Laws of 1896, entitled 'An Act relating to Internal Taxes and to repeal Chapter 61 of the Session Laws of 1892 relative thereto,' approved June 3, 1896, and to repeal Section 18 thereof." Referred to the Committee on Ways and Means.

Under suspension of the rules, Senator McCandless introduced a resolution asking that a committee of three be appointed to inquire of the Superintendent of Public Works as to the number of teams employed by the Government during the last ten days, as follows:

#### RESOLUTION.

Be it Resolved by the Senate of the Territory of Hawaii, that the President of said Senate appoint a special committee, to consist of three members of the Senate, to inquire from the Superintendent of Public Works:

1st. How many teams belonging to the Government have been employed, if any for the past ten days?

2nd. How many teams if any, have been employed by the Public Works Department during the past ten days, and how many of said teams belong to parties other than the Government?

And be it further Resolved, that said Committee report the result of their investigations and inquiries to this House at the earliest possible time.

L. L. McCANDLESS,  
Senator 3rd District.

Senator McCandless moved that the resolution be adopted. Seconded by Senator Woods and carried.

The Chair appointed the following committee: Senators McCandless, Dickey and Woods.

A communication from the Clerk of the House of Representatives transmitting House Concurrent Resolution No. 4, relating to Inter-Island Freight Rates, was read by the Clerk, as follows:

Honolulu, H. T. Mar. 17th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith transmit House Concurrent Resolution No. 4, duly adopted by the House of Representatives on March 16th, 1903.

Respectfully submitted,

S. MSHEULA,  
Clerk.

HOUSE CONCURRENT RESOLUTION NO. 4.

Whereas, It appears that the rates of freight transportation charged by the several Inter-Island vessels are outrageous, and tends to discourage the settlement of the Territory by farmers and homesteaders, and whereas it is fitting that the Representatives of the people should give small farming encouragement; therefore

Be It Resolved by the House of Representatives of the Territory of Hawaii, the Senate Concurring, that a commission constituted of three members be appointed by the Governor to examine into the matter of freight transportation from the different Island ports, to draft legislation covering the same, and to report to the next session of the Legislature.

Senator C. Brown moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Dickey and carried.

At 3:40 o'clock Senator J. T. Brown moved to adjourn. Seconded by Senator Woods and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

## TWENTY-FIFTH DAY.

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Wednesday, March 18th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock

After prayer by the Chaplain, the roll was called showing Senators Achi, Isenberg, and Nakapaahu (reported sick) absent.

The Journal of the Twenty-Fourth Day was read and approved.

Senator Baldwin for the Committee on Ways and Means reported on Senate Bill No. 20 as follows:

Honolulu, T. H., March 18, 1903.

HONORABLE C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 20, entitled "An Act—To repeal the Stamp Duties on Certificates of Stocks of Corporations," begs leave to report as follows:

This bill repeals the law which imposes a stamp duty of twenty cents (20c) a share on stocks of corporations.

This Stamp duty is not excessive, but it has had the effect we understand of diminishing the sales of Hawaiian Stocks in San Francisco and elsewhere. It is very desirable that our stocks should be bought and sold and be favorably known in the money markets of the Mainland. The loss to the Government by the repeal of the Stamp Duty on certificates of stock, will not be great, and such action might encourage the sale of stocks abroad.

We therefore recommend the passage of the Bill.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Achi moved that the report of the committee be adopted. Seconded by Senator C. Brown and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Woods and carried.

Senator Baldwin for the same committee reported on Senate Bill No. 31 as follows:

Honolulu, T. H., March 18, 1903.

HONORABLE C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Bill No. 31, entitled "An Act—To fix the compensation of Pilots for the different ports of the Territory of Hawaii," beg leave to report as follows:

The Bill proposes that the compensation for Pilots shall be the pilotage fees, and to reduce the pilotage rates so that the charge shall be for vessels under 500 tons register, at the rate of \$1.50 per foot, and for vessels over 500 tons register, at the rate of \$2.00 per foot.

There are four (4) Pilots at the port of Honolulu, who each receive a salary of \$200 a month, instead of the pilotage fees. The receipts for pilotage for port of Honolulu, for the year ending June 30, 1902 were...\$ 33,176.09

The salaries of Pilots, pay-roll, pilot boat and two pilot watchmen for the same year were..... 15,732.00

Profit to the Government, one year.....\$ 17,444.09

This is a source of income to the Government that it is poor policy to give up, now that we propose a County system of Government that will require more funds than the present territorial system of Government.

Your committee do not recommend a reduction in the charges for pilotage, or that the Pilots receive the pilotage fees. We do recommend, however, that the Pilots receive \$300 per month instead of \$200 as at present, and that salaries at the above rate be put in the Appropriation Bill.

We recommend that the Bill be laid on the Table.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Woods and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on Senate Bills Nos. 23 and 74 as follows:

Honolulu, T. H., March 17, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on "Public Lands, Internal Improvements, Agriculture, etc.," to which was referred Senate Bills Nos. 23 and 74, begs leave to report the same back without recommendation as to passage or rejection and to suggest that the same be considered by the Committee of the whole Senate.

The members of this Committee do not wish to shirk nor do they seek to avoid or evade any responsibility which may be placed upon them as representatives of the people in this Senate, but we find in consideration of these Acts a problem which we believe can best be solved as suggested above.

Senate Bills Nos. 23 and 74 are Acts granting what are commonly known as "Gas Franchises" for the City of Honolulu. The applicants are W. W. Dimond and Associates and A. L. C. Atkinson and Associates. The terms of the proposed franchises are very similar. The Committee has given each of these parties a hearing and has received a number of communications on the subjects under consideration, the communications accompanying this report.

Considering the private interests here involved and the fact of the higher interest of the community, this committee does not believe that with its small membership, being but one-fifth of that of the whole Senate, it should throw what influence a partizan report might have, against one of the proposed enterprises and in favor of the other. We have learned incidentally that there has been made in some manner the proposal that the two petitioners unite in such a manner as to have but one application for a franchise in the field, but so far this idea has not matured. We do not believe that the public interests would be best served by the granting of both franchises. This report is closed with a brief of each Act as introduced in the Senate:

Franchise to A. L. C. Atkinson and Associates and assigns—  
Senate Bill No. 74, introduced by Senator W. C.ACHI:

Term of Fifty years.

To be in operation in three years.

To pay to the Territory 2½% of gross income.

May assign franchise.

Directors of Company shall be residents of Territory.

Special provision that Franchise is not exclusive.

Charge not to exceed \$3 per 1,000 cubic feet.

To supply to the Territory gas for 50 lamps free of charge and for each year of term of franchise to add to the supply gas for five more lamps.



Franchise to W. W. Dimond, his Associates, successors and assigns—Senate Bill No. 23. Introduced by Senator C. H. Dickey:

Term of 35 years.

To be in operation in two years.

To pay to the Territory 2½ per cent. of the gross receipts.

May assign franchise.

Charge for gas not to exceed \$3 per 1,000 cubic feet.

All of which is respectfully submitted,

L. L. McCANDLESS,

J. D. PARIS,

J. B. KAOHI.

Senator Achi moved that the report of the committee be laid on the table to be considered with the bills. Seconded by Senator McCandless and carried.

Senator Wilcox for the Committee on Health and Education, to whom was referred the petition of residents of Olaa praying for an appropriation for a new school house, reported as follows:

Honolulu, T. H., March 18, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Health and Education, to whom was referred a Petition from 35 residents of Olaa, Island of Hawaii, asking for a new school house, has had the same under consideration, and finds that the request is a reasonable one, and said school is very much needed in that locality.

Your Committee would therefore recommend the appropriation of \$4,200.00 for a school house and teachers' cottage at Olaa.

Respectfully submitted,

S. W. WILCOX,

PALMER P. WOODS,

H. P. BALDWIN.

Senator Kalaauokalani moved that the report of the committee be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Dickey and carried.

Senator Wilcox for the same committee reported on Senate Bill No. 48 as follows:

Honolulu, T. H., March 18, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Health and Education, to whom was referred Senate Bill No. 48, entitled "An Act to Repeal Sections 915 to 926 inclusive, Part 5 of Chapter 590 of the Penal Laws, relating to Vaccination," has had the same under consideration. Your Committee finds that by this Act all laws in regard to Vaccination are repealed.

Scientific and Medical men agree as to the efficiency of Vaccination as a means of preventing the spread of small-pox, and your Committee cannot for a moment entertain the proposition of repealing all laws in regard to vaccination. Your Committee would, however, recommend the repeal of certain sections, and beg to offer a substitute bill.

Respectfully submitted,

S. W. WILCOX,

PALMER P. WOODS,

H. P. BALDWIN.

Senator Wilcox introduced a bill entitled "An Act to amend Sections 34, 35 and 39 of Chapter 59 of the Penal Code and Sections 2 and 3 of Chapter 67 of the Session Laws of 1892 relating to Vaccination."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

Senator Achi moved that the report of the committee be adopted. Seconded by Senator C. Brown and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 80 as follows:

Honolulu, T. H., March 10, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions to which was referred the Local Option Law, Senate Bill No. 80, begs leave to report that it has had the same under consideration.

It appears to your committee that local option is the fairest way for all parties to settle the liquor question, and the bill under consideration being substantially a replica of the Ohio Local Option Law provides for full control of the matter by precincts, thus giving the will of the local majority full sway.

Your committee recommends that the Bill pass with the following amendments:

1. Strike out in line 3 of Section 5 the words "or is charged upon the duplicate."

2. Add to Section 3, at the end thereof, the words "nor shall anything in this Act affect the right of bona fide hotels having accommodations for not less than thirty guests to furnish liquor to registered guests, provided no bar is kept in said hotel. Such hotel shall be required to take out a special license at a fee of Five Hundred Dollars per annum."

C. H. DICKEY, Chairman.

D. PAUL R. ISENBERG,

I do not concur.

S. E. KAIUE.

Senator Dickey moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator C. Brown and carried.

Senator Dickey for the same committee reported on Senate Bill No. 45 as follows:

Honolulu, T. H., March , 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—The Committee on Miscellaneous Petitions and Joint Resolutions to which was referred Senate Bill No. 45, entitled "An Act to authorize E. C. Winston, his associates and assigns, to construct, maintain and operate a railroad in certain districts on the Island of Oahu, Territory of Hawaii," hereby present their report:

Your Committee found serious opposition expressed to putting any more railroad tracks on King Street through Palama and also as to the point selected for a terminus in Honolulu.

Your Committee is convinced that the proposed railroad will be a great benefit to the people of Kalihi, Koolaupoko and Koolauloa and will open up large tracts suitable for suburban residences, and recommends the passage of the Act with the following amendments:

1. Amend the enacting clause to conform with the Organic Act by striking out all after the word "Hawaii."

2. Insert in Section 1, Line 5, after the word "time" the words "to time."

3. Strike out the words "the District of" in Section 1, Line 6 and the word "or."

4. Strike out in Sec. 1, Line 7, the words "near either King Street or the extension of" and "West of Nuuanu Stream."

5. Insert in Sec. 1, Line 7, before the word "Queen" the words "the intersection of River and."

6. Strike out in Sec. 1, Line 8, the words "King Street or."

7. Add to Section 1 the words "Also from the intersection of River and Queen Streets, thence along River Street and Vineyard Street and the proposed extension of Vineyard Street to Kalihi Valley. Also from a point on main route of said railroad in Koolaupoko through the Districts of Koolau-poko and Koolauloa to Makapu Point."

8. Strike out in Sec. 2, Line 2, the words "either by over-head or" and insert instead the word "by."

9. Strike out in Sec. 3, Line 3, the words "Five Hundred" and insert "Two Hundred and Fifty."

10. Insert in Sec. 3, Line 3, after the word "hour" the words "within two miles of the terminus in Honolulu."

11. Strike out in Sec. 4, Line 2, the words "Superintendent of Public Works" and insert instead the words "Governor or Board of Supervisors."

12. Strike out in Sec. 5 the words "Superintendent of Public Works" and insert instead the words "Governor or Board of Supervisors."

13. Strike out in Sec. 6, Line 2, the word "ten" and insert the word "three."

14. Strike out all of Section 13 and insert in its place: "Section 14. The said E. C. Winston, his associates and assigns, shall pay into the Treasury  $2\frac{1}{2}\%$  per annum of the Gross receipts of said railway payable in installments on the first day of January and the first day of July of each year."

C. H. DICKEY, Chairman.

D. PAUL R. ISENBERG,

S. E. KAIUE.

Senator Dickey moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Paris and carried.

Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 93 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 93, report that they have had the same under consideration, and recommend its passage.

The Act was introduced for the purpose of making the existing law conform to the Judiciary Act as well as the statute of limitations, and no other change has been made in the law.  
Honolulu, March 18th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Paris moved that the report of the committee be adopted. Seconded by Senator Achi and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Dickey and carried.

Senator C. Brown for the same committee reported on Senate Bills Nos. 95 and 96 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bills Nos. 95 and 96, report that they have had the same under consideration.

Bill No. 95 was introduced for the purpose of correcting errors, removal of ambiguity and to have it conform to other laws. Under the law as now on the statute books, any Justice of the Supreme Court or a Circuit Judge has jurisdiction on the application of a married woman whose husband has absented himself from the Territory, or has abandoned her and has not made provision for her support, may apply for and obtain certain powers. As the Supreme Court now is only an appellate court, the amendment places the powers authorized to be granted with the Circuit Judge.

Bill No. 96 changes the word "Republic" to "Territory" only.

We recommend the passage of both Acts.

Honolulu, March 18th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Paris moved that the report of the committee be adopted. Seconded by Senator Achi and carried.

Senator Achi moved that the bills be read third time tomorrow. Seconded by Senator Paris and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 98 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 98, report that they have had the same under consideration. The only object of the Act is to remove the penalty imposed by law of killing the mynah bird, it coming within the provision of the law protecting birds imported for the purpose of destroying insects and pests. We recommend the passage of the Act with the following amendment:

Strike out the word "before any District Magistrate"; this is following out amendments already made to existing law at the present session of the Legislature.

Honolulu, March 18th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Paris moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Paris and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 99 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 99, recommends its passage.

The Act repeals a bounty for the killing of mongoose, heretofore authorized under an Act of the Legislature of 1892. The law is obsolete, and its provisions have never been taken advantage of.

Honolulu, March 18th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Paris moved that the report of the committee be adopted. Seconded by Senator Achi and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Paris and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 100 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 100, report that the Bill amends certain Sections of the law relating to the office of Registrar of Conveyances. The first amendment strikes out the provision that the appointment of a Deputy shall be announced in the "Government Gazette." The amendment to Section 1255 of the Civil Code, Section 1839, of the Civil Laws, makes changes as to whom shall take acknowledgments of instruments, made necessary by our changed conditions.

The third amendment to Section 1838, Civil Laws, repeals a Section obsolete which provides for impression with the Royal stamp, and which had already been repealed by implication.  
Honolulu, March 18th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Paris and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Dickey and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 101 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 101, report that the object of this Act is to repeal an Act unnecessary by reason of our changed conditions, and which was passed in 1895, and was in aid of and to prevent the prosecution, indictment, action or suit, criminal or civil, against any officer of the Government or other person acting bona fide under authority of the President of the then Republic, or in good faith for the purpose of suppressing rebellion, etc.  
We recommend its passage.

Honolulu, March 18th, 1903.

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Paris and carried.

Senator C. Brown moved that the bill be read third time on Friday, the 20th. Seconded by Senator Achi and carried.

Senator C. Brown introduced a bill entitled "An Act to provide for the Publication of one volume of the Reports of the Decisions of the United States District Court for the Territory of Hawaii."

Senator C. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Paris and carried.

The President here called Senator McCandless to the chair.

Senator Crabbe gave notice of intention to introduce a bill entitled "An Act to provide for the acquisition by the Territory of Hawaii of the Kaaikahi and Kahuawai Springs of Pauoa Valley and the waters thereof."

Under suspension of the rules, Senator Crabbe introduced a bill entitled "An Act to provide for the acquisition by the Territory of Hawaii of the Kaaikahi and Kahuawai Springs of Pauoa Valley and the waters thereof."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Paris and carried.

Under suspension of the rules, Senator J. T. Brown moved to reconsider Senate Bill No. 2. Seconded by Senator Achi and lost.

Senator Dickey introduced a resolution asking that an appropriation be made to pay Post Masters for Hawaiian Postage Stamps for losses occasioned by Annexation as follows:

#### RESOLUTION.

Whereas, the appropriation for repayment to Postmasters the amounts lost by them on account of Hawaiian Stamps in their possession at the date of annexation made at the last session of the Legislature was insufficient,

Resolved, That the sum of Four Hundred Dollars be inserted in the Appropriation Bill to cover amounts still due.

C. H. DICKEY,  
Senator 2nd District.

Senator Dickey moved that the resolution be referred to the Committee on Ways and Means. Seconded by Senator Paris and carried.

The Senate proceeded with the order of the day.

Third Reading of Senate Bill No. 44, entitled "An Act to prevent the wanton destruction of the Food Fishes living in the waters of the Territory."



Senator Paris moved that consideration of the bill be postponed until Monday, the 23rd. Seconded by Senator Kalauokalani and carried.

Third Reading of Senate Bill No. 67, entitled "An Act to authorize the appointment of a Fish Commissioner and to define his duties and powers."

Senator Paris moved that consideration of the bill be postponed until Monday, the 23rd. Seconded by Senator Dickey and carried.

Third Reading of Senate Bill No. 71, entitled "An Act relating to Attorneys at Law, amending statutes on that subject."

Senator J. T. Brown moved to indefinitely postpone consideration of the bill. Seconded by Senator Kaiue and lost.

Senator J. T. Brown moved to amend line 4 of Section 5 by striking out "ten dollars" and inserting "twenty-five dollars." Seconded by Senator Dickey and carried on a vote of 6 to 6, the chair voting in favor of the motion.

The bill then passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, McCandless, Paris and Wilcox—8.

Noes: Senators J. T. Brown, Kaiue, Kalauokalani, Kaohi and Woods—5.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of Senate Bill No. 87, entitled "An Act to regulate the manner of Giving Notices of Meetings of Boards of Registration."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of Senate Bill No. 106, entitled "An Act relating to the Exemption of Certain Personal Property from Attachment, Execution and Forced Sale and to repeal an Act entitled 'An Act to Provide for the Exemption of certain personal property from Attachment, Execution, Distress and Forced Sale of every nature and description,' and repealing an Act entitled 'An Act to facilitate the Recovery of Rents' passed on the tenth day of January, 1865, and all other laws and parts of laws in conflict with this Act,' approved April 24, 1901."



## TWENTY-SIXTH DAY.

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Thursday, March 19th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Baldwin, Isenberg and Nakapaahu (reported sick) absent.

The Journal of the Twenty-Fifth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kalau-okalani, approved as read.

A communication from the High Sheriff inviting the members of the Senate to an exhibition drill of the Mounted and Foot Police was read by the clerk as follows:

Honolulu, H. T., March 18, 1903.

HONORABLE CLARENCE L. CRABBE, President,  
and Members of the Senate, Territory of Hawaii,  
Honolulu, H. T.

Gentlemen:—I desire to extend to you an invitation to witness an exhibition drill of the Mounted and Foot Police of Honolulu, at Kapiolani Park, on the afternoon of Saturday, March 21st, at 2:30 o'clock.

I beg to remain,

Very respectfully,

A. M. BROWN,  
High Sheriff, Territory of Hawaii.

Senator Dickey moved that the invitation be accepted with thanks. Seconded by Senator J. T. Brown and carried.

A communication from the clerk of the House of Representatives transmitting House Bills Nos. 38, 42, 43, 44, 46, 47, 48 and 49 was read by the clerk as follows:

Honolulu, T. H., March 17, 1903.

To the Honorable President and  
Members of the Senate.

I have the honor to transmit the following House Bills which passed third reading in the House today:

H. B. No. 38, entitled "An Act to amend Section 85 of Chapter XII of the Penal Laws of 1897, relating to concealing of an infant."

H. B. No. 42, entitled "An Act relating to larceny, amending Section 15, of Chapter XVI of the Penal Code as amended by Act 25 of the laws of 1896, Penal Laws, Section 132."

H. B. No. 43, entitled "An Act relating to assault and battery, amending Section 7 of Chapter IX of the Penal Code, as amended by Act 34 of the laws of 1896, and adding a new section to said Chapter IX."

H. B. No. 44, entitled "An Act relating to the receiving of stolen goods, amending Section 5 of Chapter XX of the Penal Code (Penal Laws, Section 174)."

H. B. No. 46, entitled "An Act relating to the felonious branding of cattle, amending Section 1 of Chapter XXV of the Penal Code (Penal Laws, Section 215)."

H. B. No. 47, entitled "An Act relating to embezzlement, amending Sections 2 and 3 of Chapter XVIII of the Penal Code (Penal Laws, Sections 158, 159)."

H. B. No. 48, entitled "An Act relating to Burglary, amending Section 5 of Act 38 of the laws of 1896 (Penal Laws, Section 106)."

H. B. No. 49, entitled "An Act to repeal Acts 12 and 77 of the Provisional Government (Penal Laws, Chapter 97) relating to the Importation and Sale of Opium."

Respectfully submitted,

SOLOMON MEHEULA

Clerk.

Senator Achi moved that the communication be referred to the Judiciary Committee. Seconded by Senator Paris and carried.

Senator Baldwin presented a petition from residents of Hamakunapoko, Maui, endorsing Wailuku as the county seat of the Island of Maui.

Senator C. Brown moved that the petition be laid on the table to be considered with the County Bill. Seconded by Senator J. T. Brown and carried.

Senator Baldwin for the Committee on Ways and Means reported on Senate Bill No. 89 as follows:

Honolulu, T. H., March 19, 1903.

HONORABLE C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Bill No. 89, entitled: "An Act to regulate and define the pay of witnesses," begs leave to report that we have had the same under consideration.

Witnesses now receive \$1.00 a day for each day's attendance in the Circuit and Supreme Courts, and 25c a day in the Police Courts in Civil cases, but do not receive travelling expenses.

The Bill provides that they shall receive \$1.00 a day for each day's attendance in all Courts of the Territory and travelling expenses as verified by vouchers.

Your Committee favors the provision that witnesses receive \$1.00 a day for attendance at all Courts, and also that they receive travelling expenses, but considers the provision in the Bill "travelling expenses as verified by vouchers" too indefinite and that it might lead to abuses. We recommend that these words be stricken out and that the words "travelling expenses at the rate of ten cents (10c) a mile each way," be inserted in the place thereof.

With this amendment, we recommend the passage of the Bill

Respectfully submitted,

H. P. BALDWIN,

J. D. PARIS,

S. E. KAIUE.

Senator Achi moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator McCandless and carried.

Senator C. Brown for the special committee on County Bill presented the following supplementary report on Senate Bill No. 1:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Special Committee to whom was referred Senate Bill No. 1, hereby submit an additional report thereon.

This Committee recommends that the pay of Supervisors be fixed at Fifty Dollars per month, and therefore recommend that Section 13 be amended by adding at the end thereof, "who shall receive as pay for the services rendered by them the sum of Fifty Dollars per month, to be paid out of the County funds."

We recommend that Section 42 be amended by inserting after the words "rendered by them" the following: "when such per diem, mileage or other service rendered by them are authorized by law to be charged."

We recommend also an amendment to Section 55 to be inserted at the end thereof to read as follows:

"The salaries of the several County officers shall be as follows:

Sheriff of the County of Oahu .....	\$3,000 a year	
“ “ “ “ “ Maui . . . . .	2,000	“
“ “ “ “ “ East Hawaii . . . . .	2,000	“
“ “ “ “ “ West Hawaii . . . . .	1,500	“
“ “ “ “ “ Kauai . . . . .	2,000	“
County Clerk & Recorder, County of Oahu.....	\$2,400	“
“ “ “ “ “ Maui . . . . .	1,800	“
“ “ “ “ “ East Hawaii . . . . .	1,800	“
“ “ “ “ “ West Hawaii . . . . .	1,200	“
“ “ “ “ “ Kauai . . . . .	1,500	“
Auditor of County of Oahu .....	3,000	“
“ “ “ “ “ Maui . . . . .	2,400	“
“ “ “ “ “ East Hawaii . . . . .	2,400	“
“ “ “ “ “ West Hawaii . . . . .	1,500	“
“ “ “ “ “ Kauai . . . . .	2,000	“
Assessor & Tax Collector, County of Oahu.....	3,000	“
“ “ “ “ “ Maui . . . . .	2,000	“
“ “ “ “ “ East Hawaii.. . . .	2,000	“
“ “ “ “ “ West Hawaii.. . . .	1,500	“
“ “ “ “ “ Kauai . . . . .	1,800	“
District Attorney of County of Oahu.....	3,000	“
“ “ “ “ “ Maui . . . . .	1,800	“
“ “ “ “ “ East Hawaii . . . . .	1,800	“
“ “ “ “ “ West Hawaii . . . . .	1,200	“
“ “ “ “ “ Kauai . . . . .	1,200	“
Treasurer of County of Oahu.....	2,400	“
“ “ “ “ “ Maui . . . . .	1,800	“
“ “ “ “ “ East Hawaii . . . . .	1,800	“
“ “ “ “ “ West Hawaii . . . . .	1,200	“
“ “ “ “ “ Kauai . . . . .	1,500	“
Surveyor of the County of Oahu.....	600	“
“ “ “ “ “ Maui . . . . .	400	“
“ “ “ “ “ East Hawaii . . . . .	400	“
“ “ “ “ “ West Hawaii . . . . .	200	“
“ “ “ “ “ Kauai . . . . .	300	“

The salary of each County Officer shall be paid monthly, and no increase or decrease of salary shall take place during the incumbency of any officer.”

We recommend that Section 163 be amended by adding after the words “following fees, viz:” the following:

“which shall be paid into the County Treasurer as a County realization.”

This amendment directs all fees received by the Recorder for the recording of documents, etc., to be paid into the County Treasury as a County realization.

We recommend that the 2nd sub-division of Section 170 be stricken out for this reason: the amendment proposed to Section 55 fixes the salary of the Surveyors of each County; the

sub-division recommended to be stricken out gives the Board of Supervisors the power to pay the Surveyors for services at a rate not to exceed ten dollars per day.

The Auditor has furnished this Committee with an estimate of what the yearly income and expenses of the several Counties may be; it is based as near as can be upon the receipts and salaries of the year last past. According to that estimate, the receipts of the County of Oahu will be in the neighborhood of \$800,000, and the expenses over \$500,000.

We have allowed \$520,000.

The County of Maui will receive in the neighborhood of \$147,000, and the estimated expenses for salaries, say, \$60,000.

The County of East Hawaii will receive \$169,000, and the estimated expenses are \$55,000.

The County of West Hawaii will receive about \$68,000, and the estimated expenses are \$45,000.

The County of Kauai will receive about \$136,000, and the estimated expenses are \$35,000.

In the above estimates are not included the amounts that will be necessary for roads, bridges and repairs to internal improvements.

The Committee, from the estimate it has had submitted to it, think that the residue, after the payment of salaries, will be sufficient to keep in repair the roads and bridges of each County, but for permanent internal improvements the funds will have to be obtained through loans to be obtained for that purpose.

Honolulu, March 19th, 1903.

Respectfully submitted,

CECIL BROWN,  
H. P. BALDWIN,  
J. D. PARIS,  
L. L. McCANDLESS.

Senator Kalaauokalani moved that the report of the committee be laid on the table to be considered with the County Bill. Seconded by Senator C. Brown and carried.

At 10:40 o'clock the following message from the Governor, relating to the custody and disposition of the funds of Chinese laborers was received and read by the clerk:

#### A MESSAGE

#### TO THE

#### LEGISLATURE OF THE TERRITORY OF HAWAII.

The Act of Congress providing a Government for the Territory of Hawaii, repealed Part 6 of Chapter 93 of the Penal Laws and Act 68 of the Session Laws of 1898, relating to the restriction of Chinese Immigration.

The repealed laws made provision among other things for the payment of certain amounts to the Board of Immigration out of the wages of each Chinese laborer admitted under the authority of such laws, such moneys to be deposited by the Board of Immigration in the Postal Savings Bank and to be used in paying the passage of such laborer out of the country upon his ceasing to work as an agricultural laborer or as a laborer in sugar or rice mills.

Under the provisions of the Organic Act, the Postal Savings Bank has been closed out and the said fund paid to the Government, which has since that time administered such fund separately from the finances of the Government and has from time to time purchased tickets for the passage from the country of the persons entitled to such moneys out of the amounts due them respectively and paid them the balance.

There is not now, nor has there been since the Organic Act went into effect any law for the custody and disposition of such funds, which at the present time amount to \$155,546.70.

I recommend appropriate legislation for the custody and disposition of this fund.

SANFORD B. DOLE.

Executive Chamber, March 19th, 1903.

Senator Paris moved that the message be referred to the Judiciary Committee. Seconded by Senator Kalauokalani and carried.

Senator Baldwin gave notice of intention to introduce a bill entitled "An Act relating to persons and companies engaged in the business of Insurance."

Senator Kaohi gave notice of intention to introduce a bill entitled "An Act to authorize the Legislature to make appropriations for the pay or salary of each and every Territorial officer and employee in any office of the Territorial Government."

Under suspension of the rules, Senator Kaohi introduced a bill entitled "An Act to authorize the Legislature to make appropriations for the pay or salary of each and every Territorial officer and employee in any office of the Territorial Government."

Senator Achi moved that the bill be rejected. Seconded by Senator J. T. Brown and carried.

Second Reading of Senate Bill No. 107, entitled "An Act making special appropriations for the Departmental use of the Territory during six months from July 1st, A. D. 1903, which will end with the thirty-first day of December, A. D. 1903."



Senator Achi moved to amend item "Expenses of Election, \$5,000.00" by increasing to \$7,500.00. Seconded by Senator C. Brown.

Senator Dickey moved as an amendment to increase to \$10,000.00.

Senator Achi accepted the amendment which carried.

Senator Achi moved that the item "Expenses First Circuit Court, \$8,750.00" be reduced to \$6,000.00. Seconded by Senator McCandless.

Senator Dickey moved that the next five items be referred to a special committee. Seconded by Senator Woods.

Senator Achi withdrew his motion to reduce to \$6,000.00.

Senator Kalauokalani moved that the item pass as in the bill. Seconded by Senator C. Brown and carried.

Senator Paris moved to amend the item "Purchase and Installing 50 new Gamewell Police Call Boxes, \$5,000.00" by increasing to \$10,000.00. Seconded by Senator Achi and carried.

Senator Crabbe moved that the items "Equipment and Maintenance of Combination Chemical and Hose Wagon in vicinity of Nuuanu and Judd Streets, \$1,780.00;" "Equipment and Maintenance of Combination Chemical and Hose Wagon at Kalihi, \$1,780.00;" "Equipment and Maintenance of Combination Chemical and Hose Wagon at Waikiki, \$1,780.00" and "Equipment and Maintenance of Combination Chemical and Hose Wagon, Hilo, Hawaii, \$1,780.00" be increased to \$7,120.00 each. Seconded by Senator Dickey and carried.

Senator Achi moved that the item "Expenses of Public Grounds, Tools, etc., \$180.00," be increased to \$360.00. Seconded by Senator Kalauokalani and carried.

Senator McCandless moved to insert item "Waikane Bridge, \$2,000.00." Seconded by Senator Kalauokalani and carried.

Senator Achi moved that the item "Repairs to Bridges, Koolau-poko, \$500.00" be increased to \$2,000.00. Seconded by Senator C. Brown and carried.

Senator McCandless moved to insert "Roads and Bridges, General, Ewa and Waianae, \$12,500.00." Seconded by Senator Achi and carried.

Senator Kalauokalani moved to insert "Repairing Kunawai Lane, Honolulu, \$300.00." Seconded by Senator Achi and carried.

Senator Achi moved to insert "Road to new Cemetery, Kalihi, \$2,000.00." Seconded by Senator Kalauokalani and carried.

Senator Achi moved to amend the item "General Expenses, Food, Clothing, Medical Attendance, etc., Boys' Industrial School, 100 boys, \$3,600.00" by striking out the figures "100" before "boys." Seconded by Senator Dickey and carried.

Senator Achi moved to amend item "General Expenses, Food, Clothing, Medical Attendance, etc., Girls' Industrial School, 50 girls, \$1,800.00" by striking out the figures "50" before the word "girls." Seconded by Senator Dickey and carried.

Senator Wilcox moved to insert "Fencing Boys' Industrial School, \$2,500.00." Seconded by Senator C. Brown and carried.

Senator Wilcox moved to insert "Engine, Piping and Reservoir, \$2,000.00." Seconded by Senator Woods and carried.

At 12 o'clock Senator Achi moved to take a recess until 2 o'clock. Seconded by Senator Woods and carried.

#### AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

Senator Baldwin moved to pass all amounts from now on at the full amounts as in the Governor's message. Seconded by Senator C. Brown and carried.

Senator C. Brown moved that all items under the head of "Commission of Agriculture and Forestry" be referred to the special committee on Agriculture and Forestry. Seconded by Senator Woods and carried.

Senator Kalauokalani moved that the item "Steamer \$35,000.00" under the head of Board of Health be stricken out. Seconded by Senator McCandless and carried on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, J. T. Brown, Crabbe, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—11.

Noes: Senator Dickey—1.

Not Present: Senators Achi, Isenberg and Nakapaahu—3.

Senator Kalauokalani moved that the item "Running Expenses of Steamer, \$9,000.00" be stricken out. Seconded by Senator McCandless and carried.

Senator Baldwin moved that the item "Addition to Malulani Hospital Building and Equipment of same, \$20,000.00" be referred to the Committee on Health and Education. Seconded by Senator Dickey and carried.

Senator C. Brown moved to amend the title so as to read "An Act making special appropriations for the departmental use of the Territory during two years which will end with the

30th day of June, A. D. 1905." Seconded by Senator Kalauokalani and carried.

Senator C. Brown moved to amend Section 1 by inserting the words "biennial fiscal period" in place of the words "six months" and the words "thirtieth day of June, A. D. 1905" in place of "thirty-first day of December, A. D. 1903." Seconded by Senator Kalauokalani and carried.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Kalauokalani and carried.

The Senate proceeded with the order of the day.

Third Reading of Senate Bill No. 20, entitled "An Act to repeal the Stamp Duties on Certificates of Stock of Corporations."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Paris, Wilcox and Woods—8.

Noes: Senators Kaiue, Kalauokalani, Kaohi and McCandless—4.

Not Present: Senators Achi, Isenberg and Nakapaahu—3.

Third Reading of Senate Bill No. 93, entitled "An Act relating to Escheat of Lands, amending Chapter VIII. of the Session Laws of 1886."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators Achi, Isenberg and Nakapaahu—3.

Third Reading of Senate Bill No. 95, entitled "An Act to amend Sections 1292, 1295 and 1296 of the Civil Code, relating to Married Women."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators Achi, Isenberg and Nakapaahu—3.

Third Reading of Senate Bill No. 96, entitled "An Act relating to Marriage Contracts, amending Section 1 of Chapter XXIII. of the Session Laws of 1872."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators Achi, Isenberg and Nakapaahu—3.

Third Reading of Senate Bill No. 108, entitled "An Act relating to the Protection of Birds, amending Section 3 of Chapter LXXXV. of the Penal Code (as amended by Section 1 of Chapter XIII. of the Session Laws of 1870), and repealing Chapter XLI. of the Session Laws of 1892."

The bill was lost on the following showing of ayes and noes:

Ayes: Senators Baldwin, Crabbe and Wilcox—3.

Noes: Senators C. Brown, J. T. Brown, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris and Woods—9.

Not Present: Senators Achi, Isenberg and Nakapaahu—3.

Third Reading of Senate Bill No. 99, entitled "An Act relating to Mongoose, repealing Section 2 of Chapter XLVIII. of the Session Laws of 1892."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, McCandless, Paris, Wilcox and Woods—10.

Noes: Senators J. T. Brown and Kaohi—2.

Not Present: Senators Achi, Isenberg and Nakapaahu—3.

Third Reading of Senate Bill No. 100, entitled "An Act to amend Sections 1252 and 1255 of the Civil Code, relating to the Registrar of Conveyances, and to repeal Section 1254 of said Code, relating to said subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators Achi, Isenberg and Nakapaahu—3.

Second Reading of Senate Bill No. 23, entitled "An Act to authorize W. W. Dimond, his associates, successors and assigns, to Manufacture and Supply Fuel and Illuminating Gas and its By-Products in Honolulu."

Senator McCandless moved to postpone consideration until Monday, the 23rd. Seconded by Senator Dickey and lost.

Senator McCandless moved that the bill be read section by section. Seconded by Senator Dickey and carried.

Section 1. Senator Kalauokalani moved that the section pass as read. Seconded by Senator J. T. Brown.

Senator Dickey moved to amend by adding after the words "Section 1." "The right to manufacture and supply gas as a fuel for illuminating purposes and otherwise in the District of Kona, Oahu, is hereby granted to the person, corporation or company which will pay the highest amount at auction for the privilege." Seconded by Senator McCandless and lost.

The motion of Senator Kalaauokalani to pass as read then carried.

Section 2. Senator Kalaauokalani moved that the section pass as read. Seconded by Senator Dickey and carried.

Section 3. Senator Kalaauokalani moved to insert at the end of section the words "provided that if such repair or restoration shall not be made to the satisfaction of the Superintendent of Public Works within a reasonable time, whereof he shall be judge, he may cause it to be done at the expense of the said W. W. Dimond." Seconded by Senator Dickey and carried.

Senator Kalaauokalani moved that the section pass as amended. Seconded by Senator Dickey and carried.

Section 4. Senator Kalaauokalani moved to amend by adding at the end of the section "and provided further that, if said W. W. Dimond shall manufacture and supply illuminating gas as well for fuel and shall erect lamp-posts as aforesaid, he shall on requisition of the Superintendent of Public Works furnish free of cost gas for fifty street lights and thereafter shall each year furnish five more in addition to the number furnished the preceding year." Seconded by Senator Dickey and carried.

Senator Kalaauokalani moved that the section pass as amended. Seconded by Senator Dickey and carried.

Section 5. Senator Kalaauokalani moved to amend line 6 by striking out "three" and inserting "two and a half." Seconded by Senator Dickey and carried.

Senator C. Brown moved to strike out the word "meters" in line 9. Seconded by Senator Woods and carried.

Senator C. Brown moved to strike out the words "or convenient to be used in connection with the consumption of such gas" after the word "necessary." Seconded by Senator Dickey and carried.

Section 6. Senator Dickey moved that the section pass as read. Seconded by Senator Kalaauokalani and carried.

Section 7. Senator Dickey moved that the section pass as read. Seconded by Senator Kalaauokalani and carried.

Section 8. Senator Dickey moved that the section pass as read. Seconded by Senator Kalaauokalani and carried.

Section 9. Senator Dickey moved to amend line 1 by striking out the words "or about." Seconded by Senator Kalauokalani and carried.

Senator Dickey moved that the section pass as amended. Seconded by Senator Kalauokalani and carried.

Section 10. Senator Achi moved to amend by adding at the end of the section the words "by the Governor of this Territory subject, however, to the approval of the Congress of the United States." Seconded by Senator Kalauokalani and carried.

Senator Dickey moved that the section pass as amended. Seconded by Senator Kalauokalani and carried.

Senator Dickey moved that the title pass as read. Seconded by Senator Kalauokalani and carried.

Senator Dickey moved that the bill pass second reading as amended. Seconded by Senator Kalauokalani and carried.

Senator C. Brown moved that the bill be read third time on Monday, the 23rd. Seconded by Senator Dickey and carried.

At 3:40 o'clock Senator Woods moved to adjourn. Seconded by Senator Kalauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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TWENTY-SEVENTH DAY.

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Friday, March 20th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock, the Vice President in the chair.

After prayer by the Chaplain, the roll was called showing Senators Crabbe, Isenberg (reported sick), Kalauokalani and Nakapaahu (reported sick) absent.

The Journal of the Twenty-Sixth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kaieue, approved as read.

A communication from the clerk of the House of Representatives transmitting House Bills Nos. 50, 51, 52, 54, 55, 59 and 70 was read by the clerk as follows:

Honolulu, H. T., March 18, 1903.

To the Honorable President and  
Members of the Senate.

I have the honor to herewith transmit the following House Bills which have this day passed third reading in the House of Representatives:

House Bill No. 50, entitled "An Act to Repeal Certain Laws Relating to the Desertion of Married Persons from one another."

H. B. No. 51, entitled "An Act to Amend Sections 5 and 6 of Chapter XLI. of the Laws of 1870 (Penal Laws, Sections 1398, 1399) Relating to Industrial and Reformatory Schools."

H. B. No. 52, entitled "An Act Relating to Waiver of Trial by Jury in Criminal Cases Less than Felony."

H. B. No. 54, entitled "An Act Relating to the Jurisdiction of District Magistrates and Circuit Judges, Repealing certain laws and amending others by striking out portions thereof as being unnecessary or of doubtful validity or of doubtful consistency with other laws."

H. B. No. 55, entitled "An Act Relating to Guardians and Wards."

H. B. No. 59, entitled "An Act Relating to the Giving of notice by Publication, amending and repealing certain former laws upon that Subject."

H. B. No. 70, entitled "An Act Making Special Appropriations for the Immediate Use of the Judiciary Department, the Department of Public Works, the Department of Public Instruction, the Commission of Public Lands, the Board of Health and the Attorney General's Department."

Respectfully submitted,

SOLOMON MEHEULA,

Approved:

Clerk.

F. W. BECKLEY,

Speaker.

Senator Dickey moved that the bills be read first time by title. Seconded by Senator C. Brown and carried.

First Reading of House Bill No. 50, entitled "An Act to repeal certain laws relating to the Desertion of Married Persons from one another."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Dickey and carried.

First Reading of House Bill No. 51, entitled "An Act to amend Sections 5 and 6 of Chapter XLI. of the Laws of 1870 (Penal Laws, Sections 1398, 1399) relating to Industrial and Reformatory Schools."

Senator McCandless moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

Senator McCandless moved that the bill be read second time tomorrow. Seconded by Senator Dickey and carried.

First Reading of House Bill No. 52, entitled "An Act relating to Waiver of Trial by Jury in Criminal Cases less than Felony."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator McCandless and carried.

Senator McCandless moved that the bill be read second time tomorrow. Seconded by Senator Woods and carried.

First Reading of House Bill No. 54, entitled "An Act relating to the Jurisdiction of District Magistrates and Circuit Judges, repealing certain laws and amending others by striking out portions thereof as being unnecessary or of doubtful validity or of doubtful consistency with other laws."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Wilcox and carried.

First Reading of House Bill No. 55, entitled "An Act relating to Guardians and Wards."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Dickey and carried.

Senator McCandless moved that the bill be read second time tomorrow. Seconded by Senator Woods and carried.

First Reading of House Bill No. 59, entitled "An Act relating to the Giving of Notice by Publication, amending and repealing certain former laws upon that subject."

Senator McCandless moved that the bill pass first reading. Seconded by Senator Dickey and carried.

Senator McCandless moved that the bill be read second time tomorrow. Seconded by Senator Dickey and carried.

First Reading of House Bill No. 70, entitled "An Act making special appropriations for the Immediate use of the Judiciary Department, the Department of Public Works, the Department of Public Instruction, the Commission of Public Lands, the Board of Health and the Attorney General's Department."

Senator McCandless moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.



Senator McCandless moved that the bill be read second time tomorrow. Seconded by Senator Dickey and carried.

Senator C. Brown for the Judiciary Committee reported on the communication from the House of Representatives transmitting House Bills Nos. 42, 43, 44, 46, 47, 48 and 49 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee to whom was referred the communication of the House of Representatives stating that House Bills Nos. 42, 43, 44, 46, 47, 48 and 49 had passed their third reading and were sent to the Senate for their consideration, beg leave to report, that said Bills are identical in subject matter, with no amendments, to Senate Bills Nos. 40, 41 and 42, which all passed their third reading in the Senate on the 5th day of March, and sent immediately by the clerk of the Senate to the House, also with Senate Bills Nos. 52, 54 and 55, which passed their third reading in the Senate on the 9th day of March, and were immediately sent to the House, and with Senate Bill No. 56 which passed its third reading on the 10th day of March, and was sent at once to the House.

These Acts from the House of Representatives all passed their second reading on the 16th inst., and their 3rd on the 17th; so that the Acts on the same subject matter from the Senate were in the hands of the House of Representatives a week without action, and were not acted upon or given any consideration so far as we know.

The Organic Act provides for three readings of Bills in each House in order to become law, no matter where or in what body the Bill was introduced, it must be read in that body three times as well as in the other. This Committee thinks that when an Act has passed its third reading in one body, and has been sent to the other for consideration, and it happens that there are in that other body identically the same Acts covering exactly the same subject, but not acted on, or as far progressed, that the work sent and finished by the body transmitting should have the preference especially if no amendments are offered or contemplated.

Honolulu, March 20th, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator Dickey moved that the report of the committee be adopted and that the bills take their regular course. Seconded by Senator Woods and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 108 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—This Committee to whom was referred Senate Bill No. 108, report that, that Bill is introduced for the purpose of consolidating the law on habeas corpus, amending same to conform to the Judiciary Act and to omit obsolete portions. The Act necessary, was prepared by the Bar Association, and is recommended by the Chief Justice in his Report to the Legislature. We recommend its passage.

Honolulu, March 20th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator McCandless moved that the report of the committee be adopted. Seconded by Senator Kalauokalani and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Dickey and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 91 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 91, report that they have had same under consideration.

The object of the Act is to repeal the laws relating to the subject of fisheries; it is said parts of the law relating to fisheries are impliedly repealed by the Organic Act. That question is now pending before the Courts of the Territory, and may possibly go to the Supreme Court of the United States. The Act submitted repeals all laws on this subject, and as the repeal might complicate matters before a decision is arrived at, we think that the Bill should not at the present time become law. We therefore recommend that it be laid on the table.

Honolulu, March 20th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator McCandless moved that the report of the committee be adopted. Seconded by Senator Kalauokalani and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 103 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 103, report that the Bill declares the legal effect of the adoption of a child, especially with regard to heirship, and settles permanently that question.

The question thus settled is now uncertain, and as there are no decisions of the Supreme Court directly on the matter, we think the declaration by the Legislature should be made and therefore recommend the passage of the Bill.

Honolulu, March 20th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator McCandless and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Dickey and carried.

Senator Achi moved that the clerk be authorized to have typewritten Senate Bill No. 105. Seconded by Senator McCandless and carried.

Senator Dickey moved that Senate Bills Nos 94 and 94A be typewritten by the clerk and placed on the order of the day. Seconded by Senator Achi and carried.

Senator C. Brown moved to reconsider Senate Bill No. 107 and that the bill be laid on the table. Seconded by Senator Kalauokalani and carried.

Senator Kalauokalani introduced the following resolution relating to the County Bill (Senate Bill No. 1) being considered on third reading as follows:

#### RESOLUTION.

Whereas, the Legislative period is drawing near its end, and  
Whereas, the Special Committee on County Bill has made their report to the Senate, and

Whereas, the consideration by the Senate of said County Bill in its second reading is not receiving the attention of this Body,

Be it therefore resolved, that after hearing of the Reports of the Standing Committee today, the Senate shall thereupon take in consideration Senate Bill No. 1 till its passage in its second reading,

Be it further resolved that the 21st, 23rd and 24th day of this month be set aside for the consideration of said County Bill in its third reading with the setting aside of some of the Business of the Senate.

SENATOR D. KALAUOKALANI,  
3rd Senatorial District, Territory of Hawaii.

Honolulu, March 20, 1903.

Senator C. Brown moved that the bill be made the special order of the day for Monday, the 23rd, and continued until finished. Seconded by Senator McCandless.

The President here called Senator McCandless to the chair.

Senator Achi moved that the bill be taken from the table. Seconded by Senator Kalauokalani and carried.

Senator Achi moved that the report of the special committee be adopted. Seconded by Senator Crabbe and carried.

Senator Achi moved that the bill be taken up for consideration at night sessions commencing with Monday evening next. Seconded by Senator C. Brown and carried.

Senator Paris for the Committee on Public Expenditures, to whom was referred the Message of the Governor relating to Unpaid Bills, reported as follows:

Honolulu, T. H., March 20, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Standing Committee on "Public Expenditures" having had under consideration the message of His Excellency the Governor upon the subject of "Unpaid Bills," begs leave at this time to make a partial report, more particularly upon the item in said message reading: "Department of Public Works, \$2,337.85, Road Board Pay Rolls."

We find that this is in no sense an "Unpaid Bill." Warrants for the several items of this amount were issued by the Department of Public Works and the warrants cashed at the Treasury Department by the Disbursing Officer of the Department of Public Works. The money was not forwarded to the persons to whom it was owing. They have not received it to this day and we have so far been unable to trace the money beyond the custody of the Disbursing Officer of the Department of Public Works.

In the opinion of your committee the only way in which these claims can be liquidated is by special act to reimburse the creditors, as the money was paid on their behalf from the Treasury to the Disbursing Officer of the Department of Public Works. We find that it was the duty of this Disbursing Officer to forward the amounts due to the various claimants who should have shared in the total sum given above and that he failed to do so. This money disappeared in the office of the Public Works Department while in the custody of the said Disbursing Officer. To the fact of the embezzlement of this sum of \$2,337.85 from the Department of Public Works and the withholding of the amounts due the proper creditors under the warrants issued, we recommend that the Attorney General investigate this matter to the end that the guilty person be prosecuted and recovery of the missing moneys be had if possible.

We append herewith report of competent expert employed by your Committee to investigate the transactions which resulted in finding most of the facts contained in this report.

Your Committee feels that this matter demands the most searching investigation. We feel that the showing of loose and unbusinesslike methods of handling public monies, the attempts to shift responsibility for the care of the same and the clear suspicion which has been attached to public officials calls for the most complete scrutiny and marked reform. We recommend legislation to systematize the operations in the conduct of business with a view to preventing further embezzlements to such as here set out.

Your Committee further finds (See report of Expert hereto attached) that there have been lavish, irregular and extraordinary juggling of "Incidental Funds," such as the purchase of spans of horses for the same and large amounts for lunches or etc. On this account we express at this time the conviction that this Senate cannot exercise too great care in the appropriation of large sums of money to be expended for "Incidentals."

Your committee would recommend that there should be a law passed that all officials handling Government Monies in any capacity bonded to sufficient amounts to cover any possible "disappearances" of public monies such as exemplified in the instance of this misnamed "Unpaid Bills" amount of \$2,337.85. Ample bond should be required from the head of each Department of the Territorial Government as well as from Disbursing Officers and other clerks handling monies.

Respectfully submitted,

J. D. PARIS,

L. L. M'CANDLESS,

Committee.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator J. T. Brown and carried.

Senator Kaohi moved that the report be translated and printed. Seconded by Senator J. T. Brown and lost.

Senator J. T. Brown moved that the adoption of the report be reconsidered. Seconded by Senator Kalanokalani and carried.

Senator Baldwin moved that a typewritten copy of the report be made and the original be referred to the Attorney General. Seconded by Senator Paris and carried.

At 11:55 o'clock a Message from the Governor transmitting estimates for appropriations to be expended for moneys received from public loans was received.

At 12:10 o'clock Senator Baldwin moved to take a recess until 2 o'clock. Seconded by Senator Dickey and carried.

### AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

The Message of the Governor received before recess was read by the clerk as follows:

#### A MESSAGE

to the Legislature of the Territory of Hawaii.

I transmit herewith to your honorable body, estimates for appropriations to be expended during the coming fiscal period for such moneys as may be received from such public loans as may be authorized by you.

The Organic Act limits the borrowing capacity of the Territory under legislative authorization, to not more than one per centum upon the assessed value of the taxable property of the Territory as shown by the last general assessment. By this rule the Territory may if so authorized by the Legislature borrow during the first year of the next fiscal period approximately \$1,235,390.00. What amount it may borrow during the second year will be determined by the ad valorem assessment returns for the year 1903.

The accompanying loan estimates are made upon the basis of the present status of the Territorial Government. The creation of county or municipal systems of government by the Legislature in the present session, will require a revision of the loan estimates as well as current, and also authorization by the Legislature for such county and city loans as may be required by such subordinate governments for new public buildings and other improvements.

SANFORD B. DOLE.

Executive Chamber,

March 20th, 1903.

## LOAN ESTIMATES.

## PUBLIC WORKS.

## General.

Reorganization of wharf system, Honolulu. (Completion of plans to require \$350,000 more.).....\$	400,000 00
Wharf and Shed, McGregor's Landing, Maui.....	6,000 00
Dredging Honolulu Harbor.....	50,000 00
Reconstruction and Repairs, Judiciary Building....	45,000 00
New Court House and Jail, Wailuku.....	20,000 00
Court House and Jail, East Kau.....	2,500 00
Court House, Jail, Jailor's House and Water Tank at Hookena and Keahauku.....	4,000 00
New Penitentiary, Oahu, (partial completion; completion of plans to cost \$150,000 more).....	100,000 00
Repairs and Reconstruction, Oahu Jail.....	20,000 00
New Jail, Hilo .....	16,000 00
New Insane Asylum, Oahu.....	75,000 00
New Dispensary, Honolulu . . . . .	8,000 00
Garbage Crematory, Honolulu .....	10,000 00
Sewerage, Honolulu . . . . .	83,820 00
Outfall Sewer, Honolulu.....	20,000 00
Storm Sewers and Drains, Honolulu.....	20,000 00
Sewerage System, Hilo.....	15,000 00
Sewerage System, Lahaina.....	10,000 00
New Government Laundries, Honolulu.....	30,000 00
New Building, Fire Station, vicinity Nuuanu and Judd Streets . . . . .	3,000 00
New Building, Fire Station, Waikiki.....	3,000 00
New Building, Fire Station, Kalihi.....	3,000 00
Extension of Fire Alarm System, Honolulu.....	10,000 00
Fire Hydrants, Honolulu.....	9,000 00
New Kerosene Warehouse, Honolulu.....	18,000 00
Nuuanu Reservoir No. 4.....	150,000 00
Filtration Plant, Nuuanu Valley.....	60,000 00
Reservoir at Kalihi . . . . .	50,000 00
Reservoir at Diamond Head.....	8,000 00
Building for High Lift Pump, Beretanla Street....	28,000 00
High Lift Pump, Honolulu Iron Works, Contract, June 15, 1900.....	17,000 00
High Lift Reservoir and Pipe.....	25,000 00
Purchase of 60,000 feet of 8 inch cast iron pipe and 40,000 feet of 6 inch cast iron pipe.....	175,000 00
Water Development, Lualualei, Oahu.....	20,000 00
Water Supply to Waimea Village, Hawaii.....	10,000 00
Electric Light Plant, Honolulu.....	50,000 00
Underground Conduits, City of Honolulu, for electric light, telephone and telegraph wires.....	150,000 00

Purchase of Lot, Electric Light Station, Nuuanu Valley . . . . .	6,000 00
School Houses and Teachers' Cottages, Island of Oahu . . . . .	134,700 00
School Houses and Teachers' Cottages, Island of Hawaii . . . . .	33,800 00
School Houses and Teachers' Cottages, Islands of Maui, Molokai and Lanai . . . . .	53,700 00
School Houses and Teachers' Cottages, Island of Kauai . . . . .	27,000 00
Fireproof Laboratory, Library and Office Building for Federal Experiment Station . . . . .	3,000 00
Residence for Chemist, Federal Experiment Station . . . . .	1,500 00
Fireproof Vaults and Files for Survey Office . . . . .	15,000 00
Armory . . . . .	30,000 00
New Stables, Road Department, Honolulu . . . . .	15,000 00
Retaining Wall and Repairs to Pauoa Stream from Pauoa Bridge to Nuuanu Stream . . . . .	5,000 00
Retaining Wall and Repairs to Makiki Stream from Makiki Reservoir to Waikiki Road . . . . .	5,000 00
	<hr/>
	\$2,054,020 00

## Roads and Bridges.

## Hawaii.

## South Kona:

New Road connecting Honaunau Road with Main Road . . . . .	\$ 3,000 00
Constructing Road and Approaches to Wharf, Napoopoo, Kealahakua Bay . . . . .	5,000 00
New Main Road from Kalahiki to Honokua, Kauai . . . . .	5,000 00
Bridge, Kona Approach to Pahala Plantation . . . . .	1,000 00
Road from Pahala to Volcano House, or so much thereof as may be necessary to complete contract, Puna . . . . .	50,000 00
Road from Kapoho to Puna Road . . . . .	8,000 00
Road from Kapoho to Koaie . . . . .	1,000 00
Road from 11 1-3 Miles, Volcano Road to a point on the 15 3-4 Mile Road 1 3-4 Miles from Volcano Road . . . . .	8,500 00
Road from Terminal of the 14 1-2 Mile Road and running through lands recently opened to settlement . . . . .	4,000 00
Road from Point between 21 1-2 Miles and 22 Miles from Hilo on Volcano Road . . . . .	12,000 00
Extending Peck's Road, South Hilo . . . . .	5,000 00
New 20 foot Culvert at Kumunuiaki . . . . .	2,000 00



Retaining Wall, Walloa River.....	2,700 00
Abutments, Walluku Bridge .....	4,000 00
New 8 foot Culvert at Pueapaku.....	1,200 00
New Bridge and Abutments at Kupue.....	2,000 00
New Bridge at Kalele .....	2,000 00
New Bridge at Aleamai.....	2,800 00
New Culvert, Makea Gulch .....	3,500 00
New Bridge at Waiama, Hamakua.....	2,500 00
Relocating and Constructing 4 Miles of Road between Ookala and Kukalau.....	20,000 00
Relocating and Reconstructing Main Road through Paaulo Plantation .....	15,000 00
Relocating and Reconstructing Main Road in Pauhau Plantation East of Lyman Gulch.....	14,000 00
Relocating and Reconstructing Main Road in Kukulhaele Plantation, East of Waialeale Gulch..	11,000 00
Waipio Beach Road .....	30,000 00
Road from Pacific Sugar Mill toward Honokaa to join Main Road .....	6,000 00
Road Paaulo to Pohakea Homestead Road.....	10,000 00
Branch Road to Paaulo and Pohakea Lots .....	9,000 00
Extension from Paaulo Lots to Kainehe Lots...	3,000 00
Kaala Homestead Road .....	8,000 00

#### Mau.

#### Hana:

Branch Road to Upper Nahiku Lots .....	10,000 00
Horse Trail to Kipahulu to Kaupo .....	10,000 00
Horse Trail Kipahulu to Kahikinui .....	3,000 00
Horse Trail Nahiku to Kailua .....	5,000 00

#### Makawao:

Completion of Kula Homestead Road to Makawao	6,000 00
Road from Kaheka Camp to Kula and Makawao Road .....	5,000 00
New Trail to Summit of Haleakala .....	3,000 00
Completion of Road Keokeo, Kula, to Kihei.....	10,000 00
Bridge across Maliko Gulch .....	1,800 00

#### Walluku:

New Bridges, Puuhele to Kihei .....	2,000 00
New Bridge, Puuhele to Maalaea Road .....	3,000 00
New Bridge, Waikapu Crossing, Maalaea Road...	750 00

**Lahaina:**

Relocating and Constructing Portion of Road from Lahaina to Manawainui Gulch .....	6,000 00
Macadamizing, Ditching and Constructing Para- pet Walls, Mountain Road to Manawainui Gulch .....	3,000 00
Bridges . . . . .	2,000 00

**Oahu.****Koolaupoko:**

Steel Bridge, Kaneohe . . . . .	5,300 00
Steel Bridge and Abutments, Kahaluu .....	3,000 00
Breakwaters at Waiahole and Kaalaea .....	5,000 00
New Culverts . . . . .	4,000 00

**Waialua:**

Steel Bridge at Kaupoo . . . . .	9,000 00
Steel Bridge at Kaukonahua . . . . .	4,000 00
Kalaka Bridge . . . . .	3,000 00
Paukaulla Bridge . . . . .	6,000 00
Extension of Kamooloa Road . . . . .	1,500 00

**Ewa and Waianae:**

New Bridges, Approaches and Abutments .....	15,000 00
New Road, Kipapa and Waikakaloa Gulches .....	10,000 00
New Road to Lualualei Homesteads .....	4,000 00

**Honolulu:**

Asylum Road Extension . . . . .	5,000 00
Bates Street Extension . . . . .	9,000 00
Fort Street Extension . . . . .	20,000 00
Hotel Street Extension . . . . .	5,000 00
Kukui Street Extension . . . . .	20,000 00
Kuakini Street Extension . . . . .	10,000 00
Pauahi Street Extension . . . . .	5,000 00
School Street Extension . . . . .	60,000 00
Vineyard Street Extension . . . . .	20,000 00

**Kauai.****Waimea:**

Embankment, Waimea River . . . . .	12,000 00
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**Koloa:**

Road from Koloa to New Landing at Kukuliuka Bay	1,000 00
Road from Lawai Gulch to Koloa .....	1,200 00
Approaches to Wahiawa Gulch Bridge .....	1,800 00
	<hr/>
	\$ 561,550 00

Senator Baldwin moved that the message be referred to the Judiciary Committee. Seconded by Senator J. T. Brown and carried.

Under suspension of the rules, Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 97 as follows:

Honolulu, T. H., March 20, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions to which was referred Senate Bill No. 97 report that they have had the same under consideration.

This Act repeals the census laws of the monarchy. The census is now taken by the Federal Government and therefore these laws are obsolete.

We recommend the passage of the bill.

C. H. DICKEY, Chairman  
S. E. KAIUE.

Senator McCandless moved that the report of the committee be adopted. Seconded by Senator Kalaauokalani and carried.

Under suspension of the rules, Senator Achi introduced a bill entitled "An Act relating to the Settling, Allowing and Signing of Decrees and Exceptions in certain cases."

Senator Achi moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

Senator Achi introduced a bill entitled "An Act relating to Annulments of Process, Pleadings and Proceedings, amending Section 1145 of the Civil Code."

Senator C. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

Senator Achi introduced a bill entitled "An Act relating to Frauds in the Sale of Butter or substances having the semblance of Butter, amending Section 2 of Chapter LXXXIV. of the Laws of 1892."

Senator Achi moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

Senator Achi introduced a bill entitled "An Act relating to Laws of Judgments and Decrees and repealing Section 24 of Chapter LVII. of the Laws of 1892."

Senator Achi moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

Senator Woods introduced a bill entitled "An Act to permit the Distillation of Spirits and Spirituous Liquors in this Territory; and the sale thereof; and to repeal all laws which prohibit such Distillation and Sale."

Senator C. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

Senator Baldwin introduced a bill entitled "An Act relating to persons and companies engaged in the business of Insurance."

Senator Baldwin moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

Senator Achi moved that Senate Bill No. 107 be taken off the table. Seconded by Senator J. T. Brown and carried.

Senator Achi moved to insert item "Money advanced by the Chamber of Commerce and Merchants' Association to J. G. Pratt, Esq., for services rendered by him at Washington relating to Payment of Fire Claims, \$10,000.00." Seconded by Senator Dickey and carried.

Second Reading of Senate Bill No. 74, entitled "An Act to authorize and provide for the Manufacture, Maintenance, Distribution and Supply of Gas for Lighting, Power and Fuel Purposes, in Honolulu and elsewhere on the Island of Oahu, Territory of Hawaii."

Senator Dickey moved that the bill be laid on the table. Seconded by Senator Kaohi and carried.

Third Reading of Senate Bill No. 101, entitled "An Act to repeal Act 24 of the Laws of 1895 entitled 'An Act to prevent

the beginning of actions against Officers of the Government or others for acts done in suppressing rebellion.' ”

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalanokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

Second Reading of Senate Bill No. 37, entitled “An Act to amend Section 868 of the Penal Laws relating to the Board of Health.”

Senator McCandless moved to consider the bill section by section. Seconded by Senator Achi and carried.

Section 1. Senator Achi moved to strike out the words “three of whom shall be laymen, three physicians and the Attorney General ex-officio.” Seconded by Senator Kalauokalani.

Senator Dickey moved as an amendment to strike out the word “three” after the word “members” in line 4 and insert the word “four,” also strike out the word “three” after the word “laymen” and insert the word “two,” so that the line shall read “consisting of seven members four of whom shall be laymen, two physicians and the Attorney General ex-officio.” Seconded by Senator Woods and carried.

Senator C. Brown moved to amend line 1 by inserting the words “Act 18 of the laws of the Provisional Government, Penal Laws, Section 868.” Seconded by Senator Dickey and carried.

Senator Achi moved that the bill be referred to the Judiciary Committee. Seconded by Senator Woods and carried.

Second Reading of Senate Bill No. 45, entitled “An Act to authorize E. C. Winston, his associates and assigns, to construct, maintain and operate a railroad in certain Districts in the Island of Oahu in the Territory of Hawaii.”

Senator Dickey moved that the bill be considered section by section. Seconded by Senator Achi and carried.

Section 1. Senator Dickey moved that the section pass as amended in the report of the committee. Seconded by Senator Achi and carried.

Senator Achi moved to amend by adding after the word “batteries” the words “or by any other motive power.” Seconded by Senator McCandless and, after considerable discussion, withdrawn.

At 3:30 o'clock Senator Baldwin moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Woods and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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TWENTY-EIGHTH DAY.

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Saturday, March 21st, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, Isenberg (reported sick), Kaine, Kalan-okalani, McCandless, Nakapaahu (reported sick), and Paris absent.

The Journal of the Twenty-Seventh Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kalan-okalani, approved as read.

A communication from the Superintendent of Public Works giving a statement of Government Teams unemployed was read by the clerk as follows:

Honolulu, T. of H., March 19, 1903.

WILLIAM SAVIDGE, ESQ.,

Clerk of the Senate,

Honolulu, T. H.

Sir:—In response to Senate Resolution under date of March 17th, I transmit herewith copies of statements concerning

Government teams unemployed, Government teams employed and private teams employed on Government work.

Very respectfully,

HENRY E. COOPER,  
Superintendent of Public Works.

Senator McCandless moved that the communication be referred to the special committee appointed to investigate that subject. Seconded by Senator Paris and carried.

Senator Wilcox for the Committee on Health and Education, to whom was referred item in the Appropriation Bill of "Addition to Malulani Hospital, etc., \$20,000.00," reported as follows:

Honolulu, T. H., March 21, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Health and Education, to whom was referred an item in the Appropriation Bill of \$20,000.00 for an Addition to Malulani Hospital and Equipment of the same, has had the same under consideration. We find that it is proposed to keep the old building and build a new wing about 40 feet x 80 feet, with a return about 60 feet long. This is urgently needed, as the old building is inadequate for the present need. Your Committee would recommend that the item pass as in the Appropriation Bill.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS,  
H. P. BALDWIN.

Senator Kaiuc moved that the report of the committee be adopted. Seconded by Senator C. Brown and carried.

Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 109 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 109, report that the Act in question seeks to repeal certain laws relating to the trial of civil causes by referees. The law sought to be repealed has been on the statute

books for many years, and never to our knowledge has its provisions been carried out or used or taken advantage of in any way.

We recommend the passage of the Act.

Honolulu, March 21st, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Kalauokalani moved that the report of the committee be adopted. Seconded by Senator McCandless and carried.

Senator C. Brown moved that the bill be read third time on Monday, the 23rd. Seconded by Senator Achi and carried.

Senator Achi for the same committee reported on Senate Bill No. 37 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Judiciary Committee to whom the Senate Bill No. 37 was referred respectfully report as follows:

The title of the law ought to read as follows:

"An Act to amend Act 18 of the Provisional Government; and being also Section 868 of the Penal Laws, relating to the Board of Health."

In line 1 between the word "The" and Section .. the following be inserted: "Act 18 of the Provisional Government and being."

The word "four" be inserted in place of the word "three" in line 4 before the words "of whom," the word "two" be inserted in place of the word "three" before Physicians.

After the word "Governor" in line 6, the following be inserted: "who shall appoint the President, whose salary shall be provided by the Legislature."

After the word "pay" in line 8, insert the following: "Except the President."

Strike out all after the word "pay" in line 8 to the word "absence" in line 9, and insert the following: "The President of the Board shall preside at all meetings of the Board, and in case of his absence."

Strike out the words "Executive Officer" in lines 10 and 11.



Strike out all from the word "Approved" in line 12 to the end of line 14, and insert in its place the following: "provided by the Legislature."

March 20, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator McCandless moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Dickey and carried.

Senator Dickey for the Committee on Miscellaneous Petitions to whom was referred a petition from Henry Smith for amount over-paid as taxes for the year 1902 reported as follows:

Honolulu, T. H., March 20, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions, to which was referred Petition of Henry Smith in regard to over-payment of taxes, begs leave to report that it has had the same under consideration. We have verified the statements of the petition and find them to be correct. The return was made erroneously on account of a miscalculation of area and the tax paid on the larger area. We recommend that an item of Twenty-four Dollars and 43-100 Cents (\$24.43) be inserted in the Appropriation Bill to cover same.

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBURG,  
Senator 3rd District.  
S. E. KAIUE.

Senator C. Brown moved that the report of the committee be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Paris and carried.

Senator Baldwin for the Committee on Ways and Means, to whom was referred Senate Bill No. 7, reported as follows:

Honolulu, T. H., March 21, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 7, entitled "An Act Authorizing the deposit of the Public money in a designated Depositary, to provide for the safe keeping and re-payment thereof, and to provide security therefor," begs leave to report that we have had the same under careful consideration.

This Bill provides that the Treasurer of the Territory may appoint any Banking Association, Banking Corporation, or any Co-partnership or individual that carries on the Banking business in the city of Honolulu, as a Depositary of Public Money and as Financial Agent of the Territory. But before designating the Depositary, the Treasurer shall require any Banking House desiring to be so appointed to tender for the purchase at not less than their face value, of all the Bonds of the Territory of Hawaii, amounting to \$326,000.00—authorized by Act of the United States Congress, to pay in part the so called "Fire Claims." The Bill further provides that the Treasurer shall appoint the Banking Association that shall purchase all the said Bonds, to be the Public Depositary, and shall deposit all the Public monies with said Public Depositary during the term or life of the Bonds.

The Public Depositary is required to deposit all the above Bonds with the Treasurer as security for Public monies deposited in said Depositary. The above is an outline of the provisions of the Bill.

Your Committee have considered the Bill carefully, and discussed its provisions with some of the financiers and business men of the city. We are not in favor of the Act as introduced, on the ground that it obliges the Treasurer to deposit all Public funds in one Bank until such time as the "Fire Claim" Bonds, held by the Treasurer as security, are redeemed, which is likely to be fifteen (15) years. It is true that the advantage to the Government is that under the provisions of this Act the Government sells to the Bank at not less than its face value, a four per cent. (4%) Bond, which is certainly a good price for the Bond in this market, but your Committee are of the opinion that this advantage does not warrant the passage of an Act that will compel the Treasurer to deposit all Public Funds in one Bank for a term as stated above, that will probably be fifteen years. Such a Bank might fail and cause the Government serious embarrassment; or there might be other good and sufficient reasons before the term is out.

why there should be a change in the Banking House. The Government should not have its hands tied in a matter of such importance.

Another point must be taken into consideration. This Government has asked for tenders on these Bonds in the cities of the Eastern States, and they will probably be able to place them in the East, at not less than their face value.

We herewith introduce as a substitute Bill, a general Banking Act, drawn largely from the general Act governing the depositary of Public monies on the Mainland. Under the provisions of this Bill, the Treasurer may appoint one or more Banking Houses as depositaries for Public Funds, who shall be obliged to put up Territorial or County Bonds, of the Territory of Hawaii or United States Bonds, as security.

If the Senate should decide to take up Bill No. 7, it should be amended so as to give the Government greater security.

We append herewith a Table showing cash balances in the Treasury each month, during the years 1900, 1901 and 1902, and the average for each month during the year.

Respectfully submitted,

H. P. BALDWIN,

J. D. PARIS,

S. E. KAIUE.

Senator Baldwin introduced a bill entitled "An Act authorizing the deposit of Public Monies in a designated Depositary and providing for the safekeeping and payment thereof, and to provide security therefor."

Senator C. Brown moved that the report of the committee be laid on the table to be considered with both bills. Seconded by Senator Paris and carried.

Senator C. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Paris and carried.

The President here called the Vice President to the chair.

Senator Crable offered the following resolution that the sum of \$1,928.36 be inserted in the Appropriation Bill for the purpose of re-imbursing the Hawaiian Fertilizer Company, Ltd., for moneys unlawfully collected as taxes:

#### RESOLUTION.

That the following named sum of money, to-wit: One Thousand Nine Hundred and Twenty-eight and 36-100 Dollars

(\$1,928.36) with interest at 6% from June 27, 1900, be inserted in the Appropriation Bill for the purpose of re-imbursing the Hawaiian Fertilizer Company, Ltd., for moneys unlawfully collected from said company as Taxes.

CLARENCE L. CRABBE,

March 21, 1903.

Senator 3rd District.

Senator Achi moved that the resolution be referred to the Committee on Ways and Means. Seconded by Senator Kalaauokalani and carried.

Second Reading of Senate Bill No. 45, entitled "An Act to authorize E. C. Winston, his associates and assigns, to construct, maintain and operate a railroad in certain districts in the Island of Oahu in the Territory of Hawaii," continued.

Section 2. Senator Achi moved to amend by adding after the word "batteries" the words "or by any other motive power not including steam locomotives." Seconded by Senator C. Brown and carried.

Senator Kalaauokalani moved that the section pass as amended. Seconded by Senator Achi and carried.

Section 3. Senator Achi moved that the amendments in the report of the committee be adopted. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the section pass as amended. Seconded by Senator Dickey and carried.

Section 4. Senator Dickey moved to amend as in the report of the committee. Seconded by Senator McCandless and carried.

Senator Dickey moved that the section pass as amended. Seconded by Senator McCandless and carried.

Section 5. Senator Dickey moved that the amendments in the report of the committee be adopted. Seconded by Senator C. Brown and carried.

Senator Dickey moved that the section pass as amended. Seconded by Senator McCandless and carried.

Section 6. Senator Achi moved that the amendments in the report of the committee be adopted. Seconded by Senator Kalaauokalani and carried.

Senator Achi moved that the section pass as amended. Seconded by Senator Kalaauokalani and carried.

Section 7. Senator Kalaauokalani moved that the section pass as read. Seconded by Senator C. Brown and carried.

Section 8. Senator Dickey moved to amend by striking out the words "Superintendent of Public Works" and inserting the words "Governor or Board of Supervisors." Seconded by Senator Achi and carried.

Senator Dickey moved that the section pass as amended. Seconded by Senator McCandless and carried.

Section 9. Senator Achi moved that the section pass as read. Seconded by Senator Kalauokalani and carried.

Section 10. Senator Achi moved that the section pass as read. Seconded by Senator Kalauokalani and carried.

Section 11. Senator Achi moved that the section pass as read. Seconded by Senator Dickey and carried.

Section 12. Senator Achi moved that the section pass as read. Seconded by Senator Dickey and carried.

Section 13. Senator Dickey moved that the section be stricken out. Seconded by Senator Baldwin and lost.

Senator Paris moved that the word "fifteen" be stricken out and the word "five" inserted. Seconded by Senator Baldwin and lost.

Senator Paris moved that the word "fifteen" be stricken out and the word "ten" inserted. Seconded by Senator Dickey and lost.

Senator Achi moved that the section pass as read. Seconded by Senator McCandless and carried.

Senator Dickey moved to insert a new section to be numbered Section 14 as follows: "The said E. C. Winston, his associates and assigns, shall pay into the Treasury 1 1-2 per cent. per annum of the Gross Receipts of said railway, payable in installments on the first day of January and the first day of July of each year." Seconded by Senator Paris.

Senator Achi moved as an amendment to add the words "after fifteen years from the first day of November, A. D. 1903." Seconded by Senator McCandless and carried.

Section 14. Senator Dickey moved to amend by making the section number 15. Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the section pass as amended. Seconded by Senator Dickey and carried.

Senator Dickey moved to reconsider Section 6. Seconded by Senator Kalauokalani and carried.

Senator Dickey moved to amend Section 6, line 4, by adding after the word "years" the words "and ten miles within five years." Seconded by Senator Paris.

Senator Achi moved as an amendment to the amendment to strike out the word "five" and insert the word "ten." Seconded by Senator McCandless.

The chair put the amendment of Senator Achi which was lost.

The motion of Senator Dickey then carried.

Senator C. Brown moved to amend the title by striking out

the words "subject to the approval of the Congress of the United States." Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator McCandless and carried.

Senator C. Brown moved that the bill be read third time on the 24th. Seconded by Senator Woods and carried.

The Senate proceeded with the order of the day.

Third Reading of Senate Bill No. 97, entitled "An Act to repeal certain laws relating to Census."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of Senate Bill No. 103, entitled "An Act to declare the effect of an adoption of a child."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of Senate Bill No. 108, entitled "An Act relating to the Writ of Habeas Corpus, amending and repealing certain laws on that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

At 12 o'clock Senator Achi moved to adjourn. Seconded by Senator Woods and carried.

*William B. Bridges*

Approved by the Senate:

Clerk of the Senate.

*Charles L. Crabbe*

President of the Senate.

## TWENTY-NINTH DAY.

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Monday, March 23rd, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin and Kaohi and Nakapaahu (reported sick) absent.

The Journal of the Twenty-Eighth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Woods, approved as read.

A communication from the clerk of the House of Representatives transmitting House Concurrent Resolution No. 5 was read by the clerk. The communication not being approved by the Speaker of the House was ordered returned.

A communication from the House of Representatives, returning Senate Bill No. 71, which was rejected by the House of Representatives on first reading, was read by the clerk as follows:

Honolulu, H. T., Mar. 21st, 1903.

To the Hon. President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith return Senate Bill No. 71, entitled "An Act relating to Attorneys-at-Law, amending statutes on that Subject," which was rejected on its first reading by the House of Representatives on March 20th, 1903.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

Approved:  
F. W. BECKLEY,  
Speaker.

Senator C. Brown for the Judiciary Committee, reported on the Governor's message relative to appropriation for moneys to be received from Public Loans, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee to whom was referred the Message of the Governor containing estimates for appropriations to be expended during the ensuing fiscal period from moneys to be received from public loans, report:

That the total amount asked or recommended is \$2,615,570. Of this amount \$1,235,390 is available for the first year of the period, leaving a balance of \$1,380,180 to be available for the second year. This latter amount may or may not be all available as it depends upon the assessed value of the taxable property of the Territory for that year. The limit of borrowing by the Territory under the Organic Act is placed at one per cent. on the assessed value of such taxable property as shown by the last general assessment.

We submit herewith an Act based upon the estimates submitted by the Governor.

Honolulu, March 23, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator C. Brown introduced a bill entitled "An Act authorizing the issue of Two Million, Six Hundred and Fifteen Thousand, Five Hundred and Seventy Dollars (\$2,615,570.00) of Bonds of the Territory of Hawaii, with interest coupons attached within the biennial period, that will end with the 30th day of June, 1905, and to define the purposes for which the money obtained therefrom shall be expended."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Paris and carried.

Senator Achi moved that the bill be read second time tomorrow. Seconded by Senator Woods and carried.

Senator C. Brown for the Judiciary Committee, to whom was referred the Governor's message relative to claims against the Republic of Hawaii for alleged false imprisonment, reported as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee to whom was referred the Governor's Message relative to Claims of certain persons against the former Republic of Hawaii for alleged false impris-



onment, and recommending legislation authorizing the appointment of a Commission to inquire into such claims and demands, herewith submit the draft of an Act authorizing the appointment of such Commission.

Honolulu, March 23d, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator C. Brown introduced a bill entitled "An Act to provide for the appointment of a commission to inquire into and pass upon and determine the claims or demands of certain persons for Damages resulting from alleged illegal imprisonment in the years 1895 and 1896."

Senator C. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalaauokalani and carried.

Senator C. Brown for the Judiciary Committee reported on the message of the Governor in relation to the care and custody of the so-called Chinese Fund as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee to whom was referred the Message of the Governor in relation to the care and custody of the so-called Chinese Fund, beg leave to report that they believe this fund should be kept separate and apart from the funds of the Territory or of the Counties. We believe the money should be deposited somewhere upon terms and security to be agreed upon. We think that a Trustee, under bonds, of the Fund should be appointed who shall have the control and paying out of the fund for the return of those Chinese to China, whose money was deposited in the Postal Savings Bank. This money does not belong to the Territory; the Territory has control of it simply as Trustee of the Chinese for whose benefit it was originally deposited.

We submit an Act to cover that purpose.

Honolulu, March 23rd, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator C. Brown introduced a bill entitled "An Act to provide for the care and custody of One Hundred and Fifty-Five Thousand, Five Hundred and Forty-Six Dollars and Seventy Cents (\$155,546.70), being the money now in the possession of the Treasurer of the Territory of Hawaii, and designated or known as the 'Chinese Fund.'"

Senator Baldwin moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalaauokalani and carried.

Senator Wilcox for the Committee on Health and Education reported on Senate Bill No. 102, as follows:

Honolulu, T. H., March 23rd, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Health and Education to whom was referred Senate Bill No. 102, entitled "An Act to prevent the furnishing of intoxicating liquors to inebriates or minors," have had the same under consideration. Your Committee would recommend the following changes:

In Section 1, line 2, after the words "deputy sheriff" strike out the word "regularly."

In Section 1, line 4, after the word "and" insert the word "who."

In Section 2, line 1, after the word "sell" strike out the words "or give."

In Section 2, line 2, strike out the words "except in case of sickness."

With these amendments your committee would recommend the passage of the Act.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS,  
H. P. BALDWIN.

Senator Kalaauokalani moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Kaiue and carried.

Senator Baldwin for the Committee on Ways and Means, to whom was referred resolution relating to an appropriation for repayment to Post Masters of amounts lost by them on account of Hawaiian Stamps in their possession at the date of annexation, reported as follows:

Honolulu, T. H., March 23, 1903.

HONORABLE C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Resolution No. 14, introduced March 18th, 1903, begs leave to report. The Resolution is as follows:

"Whereas, the appropriation for repayment to Postmasters the amounts lost by them, on account of Hawaiian Stamps in their possession at the date of Annexation, made at the last session of the Legislature was insufficient.

"Resolved, That the sum of Four Hundred Dollars be inserted in the Appropriation Bill to cover amounts still due."

Your Committee find that when the Republic of Hawaii turned over the Post Office Department to the Federal Government, that some of the Post Masters had Post Office stamps on hand that they had paid the general Post Office for, and that they put in claims for the amounts they should be refunded. The last session appropriated \$1,200.00 to settle these claims, but the amount was insufficient.

Your Committee finds that there are three bona fide claims that have not been settled, as follows:

E. W. Barnard, Postmaster Laupahoe	.....\$ 43 51
Wm. Horner, Postmaster Kukuihaele	..... 62 37
A. B. Lindsay, Postmaster Honokaa	..... 53 97
Total	.....\$159 85

Your Committee recommends that these amounts be put into the Appropriation Bill in the name of each Postmaster respectively.

The transfer of the Post Office Department occurred June 13th, 1900, nearly three years ago, so that it is not likely that there are any more claims to be presented. We therefore do not recommend any larger appropriation on this account than the above amount.

Respectfully submitted,

H. P. BALDWIN.  
J. D. PARIS,  
S. E. KAIUE.

Senator Kalaauokalani moved that the report be laid on the table to be considered with the appropriation bill. Seconded by Senator Kaiue and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 21 as follows:

Honolulu, T. H., March 20, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions, to which was referred Senate Bill No. 21, entitled, "An Act Relative to the Manufacture and Sale of Intoxicating Liquors," has had the same under consideration and report as follows:

Your Committee recommend the passage of the Bill with the following amendments:

1. Section 2, line 5, strike out the words, "not less than fifteen days after the filing of such application," and insert in place thereof, the word "thereafter."

2. Add at the end of Section 3 a new subdivision after Subdivision 4. "5. A petition signed by a majority in interest of owners of all real estate within three hundred feet of the place where such license is to be exercised praying that the license shall issue, addressed to the persons empowered to issue such license."

3. In Section 7 add to line 2, after the word "License" the words "Hotel License."

4. Section 10 to be added after Section 9 to read as follows: "Section 10. A Hotel license may be issued to any Hotel having rooms for thirty bona fide guests, and shall authorize the licensee to sell intoxicating liquors by the glass or bottle to such bona fide guests, but such licensee shall not in any case establish a bar on his premises."

5. In Section 12, line 1, erase the words "who is not a citizen of the United States" and insert in place of it "or persons." In same section, line 3, strike out the balance of line 3 after the word "Hawaii," lines 4, 5 and 6 and a portion of line 7 to the word "The" in line 7, so that the Section will read as follows: "Section 12. No liquor license of any class shall be granted to any person or persons who have not resided at least two years in the Territory of Hawaii. The restriction in this section contained shall not be held to apply to any person, co-partnership or corporation holding a liquor license under the laws of the Territory of Hawaii on the first day of January, A. D. 1903; Provided, however, such person, co-partnership or corporation shall have been continuously engaged in the liquor business under a license from said first day of January, A. D. 1903, until the time of making application for a new license."

6. In Section 16, line 3, erase the words "Five Hundred" and insert the words "Seven Hundred and Fifty."

7. After Section 16 insert a new section. "Section 17. Before any Hotel license shall be issued under the provisions hereof, the applicant shall pay to the officer issuing the same the annual fee of Five Hundred Dollars."

8. Strike out all of Section 17 except the following words, commencing in line 12: "Before any Hotel liquor license is granted the applicant therefor shall pay to the officer issuing same the sum of One Thousand Dollars."

9. Section 26, line 3, strike out the words "five hundred dollars" and insert "one thousand dollars."

10. Section 27. Strike out this section and insert in place thereof section 1 of the Act relating to Sale of Intoxicating Liquors and Inebriates, introduced by Senator Paris.

11. Section 28, line 3, erase the words "twenty-five" and insert the word "fifty" in place thereof. Erase the words "one hundred" and insert the words "two hundred and fifty" in place thereof.

12. Section 29, line 8, strike out the word "one" and insert the word "Two."

13. Section 20, line 7, strike out the word "one" and insert the word "two."

14. Section 31. Strike out the entire section.

15. Section 32. Strike out all of Section 32 after line 8 after the word "in" and insert in lieu thereof "hotels having a hotel liquor license."

16. Section 33, line 1, strike out the word "appurtenances" and insert the words "outhouses belonging."

17. Section 43, line 8, strike out "twenty-five" and insert "one hundred."

18. Section 43, line 4, strike out the words "and other outdoor places of public amusement or celebration" and insert the word "and" before the word "race."

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
Senator 3rd District.  
S. E. KAIUE.

Senator Dickey moved that the report be laid on the table to be considered with the bill. Seconded by Senator McCandless and carried.

Senator Isenberg moved that the bill be considered tomorrow. Seconded by Senator McCandless and carried.

Senator Achi, for the special committee, to whom was referred Senate Bill No. 84, reported as follows:

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Special Committee to whom "An Act to provide for the Incorporation and Government of Cities within the Territory of Hawaii," was referred respectfully report as follows:

The Act proposes that City Government shall be managed by a Mayor and Council, said Council to consist of members elected by the people of each City.

We found by information that the experience in the Mainland, after many years, that Cities which are controlled or run by a Mayor and Council have less stealing than those Cities which are controlled or run by Mayor, Council and Officers elected by the people; it is found that a responsible head should have power to remove rascally officers. Our plantations are run by Managers having such power and they are managed in a manner acceptable to the Stockholders.

The Committee have made few amendments; but there are many changes in matter of form.

The power of the city to issue bonds is stricken out, the same as proposed by the Committee on County Bill; we believe that it is not a good policy to borrow money from the start, because, by allowing them to borrow money from the start, it will encourage the City Officers to employ too many officers, and will be a temptation to them to spend the City's money carelessly.

Persons are made eligible to City Office only after three years' residence in the City where they seek election; we believe that a five years' residence in the Territory and three years' residence in City ought to be made qualifications before any person is made eligible, but we believe we ought to follow the way our County Committee proposed, so we shall have the same plan.

The Committee proposes that City Government may be given the right to levy tax to the amount of one-half per cent.

In regard to the area of the City, the Committee put it at 100 square miles, which area we believe is big enough for any City in the Territory.

The power to prepare the starting of the Incorporation of any City is given to the Secretary of the Territory instead of the Supervisors; we believe as the Supervisors are Officers for the County including the portion which may be taken for the City, the Supervisors may then act not in a way which ought to be done.

We add the Office of Coroner to the Office of Chief of Police.

We amend Section 18, so that the Salaries of Mayor and Councilmen are fixed as provided in this act (see section 88) instead of those Officers fixing their own Salaries.

We also amend Section 20, in order that no election shall be held except general election after the first election of the Officers of the City.

In Section 21, we amend so that no Officer shall be removed on account of his religious or political belief.

We amend Section 24, so the Mayor shall not sit as President of the Council.

Section 31. We amend it so City Attorney shall prosecute all suits and actions including Tax Cases; because the practice during several years that the Tax Offices always hire outside attorneys to prosecute those cases, which cases we believe ought to be prosecuted by the Attorney General's Department.

We amend Section 60, so that the Auditor of the Territory may have the right to examine the books of the officers of the City; which we believe it will be a safe guard to the interest of the public.

We amend Section 65, so the Treasurer shall not keep more money on hand than is actually required for the daily transaction; but the surplus shall be deposited in any Bank of the City, which shall deposit as security for the same, Fire Claim Bonds or other Bonds of the Territory; because, we believe, the money ought to be in circulation.

We amend Section 75, so that the Officers shall publish quarterly a statement of the financial condition of the City.

We amend Section 80, so that the limit for granting franchises shall be twenty-five years instead of fifteen years as provided in the Bill.

We fixed the number of electors to incorporate City Government at 500 instead of 1000 as stated in the Bill, because, outside of Honolulu, there is no place within 100 square miles which has one thousand voters, but in order to make a general Municipal Act, we ought to make the Act so as to apply to at least two places; this Act can be taken advantage of by the people of Honolulu, Hilo and Wailuku and perhaps Lahaina.

We add a Section providing the Salaries of Mayor and Councilmen, at the rate of \$3,000.00 for Mayor of Cities of over 20,000 people, and for other Cities at \$2,400.00 a year; and the councilmen of Cities of over 20,000 people at \$500.00 a year, and for other Cities at the rate of \$300.00 per year.

With the above amendments we recommend that the Bill may be passed.

March 23, 1903.

Respectfully submitted,

W. C. ACHI, Chairman.

JOHN T. BROWN.

I agree with all the recommendations of the committee except that in regard to the area of proposed cities.

I think that 100 square miles is too large as it would allow the incorporation of sparsely settled districts in the country.

for which the machinery of a city is not at all necessary. I propose that the maximum area be put at 30 square miles. Additional territory can be annexed thereafter if thought necessary.

C. H. DICKEY.

Senator Achi moved that the report be laid on the table to be considered with the bill. Seconded by Senator Kalauokalani and carried.

Senator Achi moved that Senate Bill No. 84 be made the special order of the day to be considered evenings after the County Bill. Seconded by Senator Kalauokalani and carried.

Senator Isenberg gave notice of intention to introduce a bill entitled "An Act to re-organize and regulate the militia of the Territory of Hawaii."

Under suspension of the rules, Senator Isenberg introduced a bill entitled "An Act to re-organize and regulate the militia of the Territory of Hawaii."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Paris and carried.

Senator J. T. Brown gave notice of intention to introduce a bill entitled "An Act to provide for a High School in Hilo, Island and Territory of Hawaii, under the Department of Public Instruction of the Territory."

Under suspension of the rules, Senator J. T. Brown introduced a bill entitled "An Act to provide for a High School in Hilo, Island and Territory of Hawaii, under the Department of Public Instruction of the Territory."

Senator J. T. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kaiue and carried.

Senator C. Brown moved to proceed to the order of the day. Seconded by Senator Isenberg and carried.

Second Reading of House Bill No. 50, entitled "An Act to repeal certain laws relating to the Desertion of Married Persons from one another."

Senator C. Brown moved that the bill pass second reading. Seconded by Senator J. T. Brown and carried.

Second Reading of House Bill No. 51, entitled "An Act to amend Sections 5 and 6 of Chapter XLI. of the Laws of 1870 (Penal Laws, Sections 1398, 1399) relating to Industrial and Reformatory Schools."

Senator Achi moved that the bill pass second reading. Seconded by Senator C. Brown and carried.



Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Dickey and carried.

Second Reading of House Bill No. 52, entitled "An Act relating to Waiver of Trial by Jury in Criminal Cases less than Felony."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalauokalani and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Kalauokalani and carried.

Second Reading of House Bill No. 54, entitled "An Act relating to the Jurisdiction of District Magistrates and Circuit Judges, repealing certain laws and amending others by striking out portions thereof as being unnecessary or of doubtful validity or of doubtful consistency with other laws."

Senator Achi moved that the bill pass second reading. Seconded by Senator C. Brown and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator C. Brown and carried.

Second Reading of House Bill No. 55, entitled "An Act relating to Guardians and Wards."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalauokalani and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Kalauokalani and carried.

Second Reading of House Bill No. 59, entitled "An Act relating to the Giving of Notice by Publication, amending and repealing certain former laws upon that subject."

Senator C. Brown moved that the bill pass second reading. Seconded by Senator Achi and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator C. Brown and carried.

Second Reading of House Bill No. 70, entitled "An Act making special appropriations for the immediate use of the Judiciary Department, the Department of Public Works, the Department of Public Instruction, the Commission of Public Lands, the Board of Health and the Attorney General's Department."

Senator C. Brown moved to strike out all items under the head of "Roads and Bridges, Fifth District, \$12,000.00." Seconded by Senator Woods and carried.

Senator C. Brown moved to insert "Roads and Bridges, Fifth District, Oahu, \$12,000.00." Seconded by Senator Achi and carried.

Senator C. Brown moved to strike out all items under "Roads and Bridges, Maui, \$16,000.00." Seconded by Senator Achi and carried.

Senator C. Brown moved to insert "Landings and Buoys, \$15,000.00." Seconded by Senator Achi and carried.

Senator Paris moved to amend item "Completion of road Huehue to N. Kona, or so much thereof as may be necessary to complete contract, \$5,000.00" so as to read "Completion of road Huehue, N. Kona to boundary of S. Kohala, \$5,000.00." Seconded by Senator Woods and carried.

Senator Achi moved to amend item "Road between Ookala and Kukaiau, Hawaii, \$20,000.00" so as to read "Re-locating road between Ookala and Kukaiau, Hawaii, \$5,000.00." Seconded by Senator McCandless and carried.

Senator C. Brown moved to strike out "Macadamizing from King Street Bridge to Kamehameha IV. Road, the Kalihi Receiving Station Road and the Gulick Road, \$5,500.00." Seconded by Senator Dickey and carried.

Senator Paris moved to reconsider item "re-locating road between Ookala and Kukaiau, \$5000.00." Seconded by Senator J. T. Brown and carried.

Senator J. T. Brown moved that the item pass at \$20,000.00.

Senator Paris moved as an amendment that the item pass at \$10,000.00.

Senator J. T. Brown accepted the amendment which carried.

Senator Dickey moved to insert item "Repairing Lusitano street between Kinau Street and Pauoa Road, \$7,000.00." Seconded by Senator Kalauokalani and carried.

Senator Achi moved to insert item "To finish school house at Haiku, \$1,100.00." Seconded by Senator J. T. Brown and carried.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Achi and carried.

Third Reading of Senate Bill No. 44, entitled "An Act to prevent the wanton destruction of the Food Fishes living in the waters of the Territory."

Senator Isenberg moved to defer consideration until Thursday, the 26th. Seconded by Senator Woods and carried.

Third Reading of Senate Bill No. 67, entitled "An Act to authorize the appointment of a Fish Commissioner and to define his duties and powers."

Senator Isenberg moved to defer consideration until Thursday, the 26th. Seconded by Senator Kalauokalani and carried.

Third Reading of Senate Bill No. 106, entitled "An Act relating to the exemption of certain personal property from attachment, execution and forced sale, and to repeal an Act entitled 'An Act to provide for the exemption of certain per-

sonal property from attachment, execution, distress and forced sale of every nature and description,' and repealing an Act entitled 'An Act to facilitate the Recovery of Rents, passed on the Tenth day of January, 1865, and all other laws and parts of laws in conflict with this Act,' approved April 24, 1901."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiae, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: Senator Kalauokalani—1.

Not Present: Senator Nakapaahu—1.

At 11:55 o'clock Senator McCandless moved to take a recess until 2 o'clock. Seconded by Senator Achi and carried.

#### AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

Third Reading of Senate Bill No. 23, entitled "An Act to authorize W. W. Dimond, his associates, successors and assigns, to manufacture and supply fuel and illuminating Gas and its by-products in Honolulu."

Senator McCandless moved to insert "Section 10. The Superintendent of Public Works is hereby directed to sell at an advertised public auction to the highest bidder, as soon as the necessary arrangements can be reasonably made, the franchise provided for in this act. In case there shall be no sale of the franchise upon the first advertisement, the Superintendent of Public Works shall thereafter from time to time re-advertise the time, place and conditions of such sale, for not less than sixty days in one or more newspapers published in Honolulu in the English language. The upset price of this franchise shall be \$10,000 (ten thousand dollars) payable in gold coin of the United States. A contract shall be entered into between the Superintendent of Public Works and the successful bidder. There shall be included in the terms of such contract, in addition to all the requirements herein contained, an agreement by the holder that the entire plant, operations, books and accounts of said holder shall at all times be subject to the inspection of the Superintendent of Public Works or such person as may be appointed by him for such purpose. The contractor shall furnish to the Superintendent of Public Works a surety bond in the sum of \$20,000 (twenty thousand dollars) conditioned that the contractor will observe all the terms of this act, and failing

thereof, to forfeit said bond, the amount of the said bond to be then at once collectable by the Superintendent of Public Works for the territory's sole benefit. It is expressly provided that in the event of delay in this act becoming a law owing to failure of approval by the Congress of the United States, should such approval be necessary, the contract herein provided for, if the same has been entered into, shall be null and void." Seconded by Senator Dickey and lost.

Senator Achi moved that all after the word "approval" in Section 10 be stricken out. Seconded by Senator Kalauokalani and carried.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, Paris, Wilcox and Woods—12.

Noes: Senators Baldwin and McCandless—2.

Not Present: Senator Nakapaahu—1.

Third Reading of Senate Bill No. 109, entitled "An Act to repeal certain laws relating to Trial by Referees."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Nakapaahu—1.

First Reading of House Bill No. 38, entitled "An Act to amend Section 85 of Chapter XII. of the Session Laws of 1897, relating to concealing of infants."

Senator Achi moved that the bill pass first reading. Seconded by Senator Dickey and carried.

First Reading of House Bill No. 42, entitled "An Act relating to Larceny, amending Section 15 of Chapter XVI. of the Penal Code, as amended by Act 25 of the Laws of 1896, Penal Laws, Section 132."

Senator Achi moved that the bill pass first reading. Seconded by Senator C. Brown and carried.

First Reading of House Bill No. 43, entitled "An Act relating to Assault and Battery, amending Section 7 of Chapter IX. of the Penal Code as amended by Act 34 of the Laws of 1896, and adding a new section to said Chapter IX."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator Achi and carried.

First Reading of House Bill No. 44, entitled "An Act relating to the Receiving of Stolen Goods, amending Section 5 of Chapter XX. of the Penal Code (Penal Laws, Section 174)."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Achi and carried.

First Reading of House Bill No. 46, entitled "An Act relating to the Felonious Branding of Cattle, amending Section 1 of Chapter XXV. of the Penal Code (Penal Laws, Section 215)."

Senator Achi moved that the bill pass first reading. Seconded by Senator C. Brown and carried.

First Reading of House Bill No. 47, entitled "An Act relating to Embezzlement amending Sections 2 and 3 of Chapter XVIII. of the Penal Code (Penal Laws, Sections 158, 159)."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

First Reading of House Bill No. 48, entitled "An Act relating to Burglary, amending Section 5 of Act 38 of the Laws of 1896 (Penal Laws, Section 106)."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator Dickey and carried.

First Reading of House Bill No. 49, entitled "An Act to repeal Acts 12 and 77 of the Provisional Government (Penal Laws, Chapter 97) relating to the Importation and Sale of Opium."

Senator Achi moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 35, entitled "An Act defining the Sanitary District of Honolulu and establishing rules and regulations for the plumbing and drainage of buildings and the construction of House Sewers in said District." Referred to the the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Second Reading of Senate Bill No. 80, entitled "Local Option Law."

Senator McCandless moved that the bill be read section by section. Seconded by Senator Dickey and carried.

Section 1. Senator McCandless moved to add to section 1 "and provided, further, that neither this section nor any portion of this Act shall apply in its prohibitive force to the selling of liquors, under the law and police regulations, at bona fide hotels, having proper accommodations for the keeping of not less than thirty guests using lodgings and table board of each of such hotels."

Senator Achi moved as an amendment to add "all expenses of said election shall be paid by the petitioners before the election shall be called."

Senator McCandless accepted the amendment which carried.

Senator C. Brown moved that the bill be laid on the table. Seconded by Senator Woods and carried.

Under suspension of the rules, Senator Isenberg for the special committee to whom was referred Senate Bill No. 44, reported as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Special Committee to whom was referred Act No. 44, beg leave to report as follows:

That Section 1, line 4, the words "one and one-half inches" be stricken out and the words "two inches" be put in their stead; also to strike out the words in line 5 after inches; and also strike out lines 6, 7, 8 and 9 and to substitute the following: "It shall be unlawful to use cast or throw nets of any description." That this law shall not prohibit the fishing of:

1. Nehu.
2. Puhikii.
3. Omaka.
4. Opelu.
5. Hinalea.
6. Oama.
7. Oopukai.
8. Mail.
9. Maomao.
10. Manini.
11. Manini.
12. Iao.
13. Aholehole.
14. Opae.
15. Hinana, Oopu, Nopili, Nakea.
16. Kole.
17. Iheihe.
18. Mamamo.
19. Ahoaho.
20. Pao.
21. Ohua, Palemo. Ohua, Aliko.
22. Malolo.
23. Akilolo.
- 24.
25. Hahalalu.
26. Akule.
27. Piha.

28. Alaihi.
29. Aweoweo.
30. Uu.
31. Ahaha and Pulli.
32. Alalaua.
33. Aweoweo.
34. Upapalu.
35. Puhi.

In Section 4 strike out the words in line 2 "less than \$20 nor" so that it will read as follows: "Be punished by a fine of not more than \$20."

In line 3 strike out the words "less than 10 or" and the clause shall read "at hard labor for not more than 90 days."

D. PAUL R. ISENBERG,  
JOHN T. BROWN,  
S. W. WILCOX.

Senator Isenberg moved that the bill be taken up for consideration. Seconded by Senator McCandless and carried.

Third Reading of Senate Bill No. 44, entitled "An Act to prevent the Wanton Destruction of the Food Fishes living in the Waters of the Territory."

Section 1. Senator C. Brown moved that the report of the committee in regard to Section 1 be adopted. Seconded by Senator Achi and carried.

Section 2. Senator Achi moved that the section pass as read. Seconded by Senator C. Brown and carried.

Section 3. Senator Isenberg moved that the section pass as read. Seconded by Senator Achi and carried.

Section 4. Senator Achi moved to strike out the words "in the discretion of the court." Seconded by Senator Isenberg and carried.

Senator Isenberg moved that the section pass as amended. Seconded by Senator Achi and carried.

Section 5. Senator McCandless moved to strike out the word "publication" and insert the word "approval." Seconded by Senator Achi and carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kalanokalani, McCandless, Paris, Wilcox and Woods—12.

Noes: Senators Kaiue and Kaohi—2.

Not Present: Senator Nakapaahu—1.

Third Reading of Senate Bill No. 67, entitled "An Act to authorize the appointment of a Fish Commissioner and to define his duties and powers."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kalauokalani, McCandless, Paris, Wilcox and Woods—12.

Noes: Senators Kaiue and Kaohi—2.

Not Present: Senator Nakapaahu—1.

Second Reading of Senate Bill No. 89, entitled "An Act to regulate and define the pay of witnesses."

Senator Achi moved that the bill be read section by section, Seconded by Senator Kalauokalani and carried.

Section 1. Senator Achi moved to amend by inserting the words "and being examined in the court." Seconded by Senator McCandless.

Senator C. Brown moved as an amendment to strike out the word "case" in line three and insert the words "civil cause." Seconded by Senator Achi and carried.

Senator C. Brown moved that the report of the committee in regard to Section 1 be adopted. Seconded by Senator Dickey and carried.

Section 2. Senator Isenberg moved that the section pass as read. Seconded by Senator C. Brown and carried.

Senator Dickey moved that the bill pass second reading. Seconded by Senator Isenberg and carried.

Senator Isenberg moved that the bill be read third time tomorrow. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 94A, entitled "An Act to amend Section 1465 of the Civil Code relating to Wills." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 105, entitled "An Act providing for the redemption of real property sold under foreclosure of mortgage." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 112, entitled "An Act to amend Act 64 of the Session Laws of 1896 by adding a new Section to be numbered Section A." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 116, entitled "An Act relating to Foreign Corporations and Incorporated Companies, amending Sections 1 and 5 of Act 45 of the Session Laws of 1898." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 37, entitled "An Act to amend Section 868 of the Penal Laws relating to the Board of Health."



Senator Achi moved that the bill pass second reading. Seconded by Senator Dickey and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Kalaauokalani and carried.

The President here called the Vice President to the chair.

Under suspension of the rules, Senator Crabbe moved that Senate Bill No. 38 be taken off the table. Seconded by Senator McCandless and carried.

Second Reading of Senate Bill No. 38, entitled "An Act to authorize Licenses for Sales of Wine, Ale, Beer, Cider and Spirits by Retail Grocers."

Senator Crabbe moved to strike out "Two Hundred and Fifty Dollars (\$250)" and insert "Five Hundred Dollars (\$500)." Seconded by Senator Woods.

Senator McCandless moved as an amendment to strike out "Two Hundred and Fifty Dollars (\$250)" and insert "One Thousand Dollars (\$1,000.00)." Seconded by Senator C. Brown and carried.

Senator McCandless moved to amend by striking out the words "Honolulu or Hilo" in lines 1, 4 and 8 and add "in the Territory of Hawaii." Seconded by Senator Baldwin and carried.

Senator Isenberg moved to strike out in line 4 of Section 1 the words "of not less than \$100,000.00." Seconded by Senator Woods and lost.

Senator McCandless moved that the bill pass second reading. Seconded by Senator Isenberg and carried.

At 3:55 o'clock Senator Crabbe moved to take a recess until 7:30 o'clock. Seconded by Senator C. Brown and carried.

### EVENING SESSION.

The Senate reconvened at 7:30 o'clock.

Third Reading of Senate Bill No. 1, entitled "An Act providing for the Organization and Government of Counties."

Senator McCandless moved that the bill be read section by section. Seconded by Senator Kalaauokalani and carried.

Chapter 8, Section 26. Senator Achi moved that the Committee on Revision revise the numbering of the Sections. Seconded by Senator McCandless and carried.

Chapter 12, Section 52. Senator Achi moved to amend by striking out that portion of the section beginning with the word "provided" in line 8 and ending with the end of line 17. Seconded by Senator McCandless and carried.

Chapter 12, Section 56. Senator Dickey moved to amend by striking out the figures "48" after the word "section" in line 1 and substitute the figures "47." Seconded by Senator Achi and carried.

Chapter 14, Section 77. Senator Dickey moved to amend by inserting the word "if" before the word "such" at the beginning of the Section. Seconded by Senator McCandless and carried.

Chapter 15, Section 94. Senator Achi moved to amend by adding at the end of the section the words "to the amount of the claim." Seconded by Senator Dickey and lost.

Chapter 15, Section 102. Senator Dickey moved to substitute the word "shall" for the word "must" in line 1. Seconded by Senator Achi and carried.

Chapter 16, Section 111. Senator McCandless moved to amend by substituting the word "shall" for the word "must" in line 4. Seconded by Senator Dickey and carried.

At 9:50 o'clock Senator Baldwin moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Woods and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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THIRTIETH DAY.

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Tuesday, March 24th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, Nakapaahu (reported sick) and Paris absent.

The Journal of the Twenty-Ninth Day was read and, upon motion of Senator Kalanokalani, seconded by Senator J. T. Brown, approved as read.

A communication from the clerk of the House of Representatives, transmitting House Concurrent Resolution No. 5, relating to the appointment of a conference committee, was read by the clerk as follows:

Honolulu, H. T., March 20th, 1903.

To the Honorable President and  
Members of the Senate of the  
Territory of Hawaii.

I have the honor to herewith transmit a certified copy of House Concurrent Resolution No. 5, which was adopted by this House on the 19th day of March, 1903.

Very respectfully,

Approved:

F. W. BECKLEY,  
Speaker.

SOLOMON MEHEULA,  
Clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 5.

Be it resolved by the House of Representatives, the Senate concurring, that a Conference Committee of fourteen members be appointed, seven members of said Committee to be appointed by the President of the Senate and seven by the Speaker of the House of Representatives.

SAMUEL F. CHILLINGWORTH,  
Representative 4th District.

Senator Baldwin moved that action on the communication be postponed. Seconded by Senator C. Brown and carried.

A communication from the Clerk of the House of Representatives transmitting House Joint Resolution No. 2, relating to amending Section 44 of the Act to provide a Government for the Territory of Hawaii, was read by the Clerk, as follows:

Honolulu, H. T., March 23rd, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith transmit House Joint Resolution No. 2, duly adopted by the House of Representatives this 23rd day of March, 1903.

Respectfully submitted,

SOLOMON MEHEULA,  
Clerk.

## HOUSE JOINT RESOLUTION NO. 2.

Be it Resolved by the Legislature of the Territory of Hawaii in Second Regular Session assembled, that the Congress of the United States is hereby respectfully requested to amend Section 44 of the Act to Provide a Government for the Territory of Hawaii so as to permit the use of the Hawaiian language, and

Be it further Resolved that certified copies of this Resolution be sent by the Governor of the Territory of Hawaii, one to the President of the United States, one to the President of the Senate of the United States, one to the Speaker of the House of Representatives of the United States, and one to the Delegate of the Territory of Hawaii to Congress.

Senator Paris presented a petition from residents of Hilo protesting against granting a franchise for an Electric Railway from Hilo to Hakalau.

The petition was referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Senator Baldwin presented a petition from residents of Makawao, Maui, endorsing Wailuku as the County Seat of Maui.

Senator Baldwin moved that the petition be laid on the table to be considered with the County Bill. Seconded by Senator Isenberg and carried.

Senator Dickey presented a petition from Mrs. Amara praying that she be re-imbursed for property lost by the Plague Fire.

Senator C. Brown moved that the petition be considered tomorrow. Seconded by Senator Kalanokalani and carried.

Senator Dickey presented a petition praying for various improvements in the District of Kaupo, Maui.

The petition was referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Senator Dickey presented a petition from Guards at Molo-kai praying for wages earned during the Bubonic Plague epidemic.

The petition was referred to the Committee on Health and Education.

Senator J. T. Brown presented a petition praying for an appropriation for road purposes at Kaumana, Hilo.

The petition was laid on the table to be considered with the Appropriation Bill.

Senator Achi gave notice of intention to introduce the following bills:

"An Act amending a portion of the law relating to the Construction, Maintenance and Operation of a Street Railway in the District of Honolulu."

"An Act amending and repealing certain laws relating to Liquid Explosives."

"An Act repealing Section 1 of Act 9 of the Provisional Government relating to the Inspection of Explosive Substances."

"An Act relating to the Quarantine of Animals, amending certain Laws on that subject."

"An Act relating to Building Permits in Honolulu, amending Section 2 of Chapter XVI. of the Laws of 1886, as amended by Chapter LXXII. of the Laws of 1890 (Penal Laws, Section 1079)."

"An Act relating to the Inspection, Testing, Storage and Sale of Kerosene Oil, amending Sections 2, 5, 6 and 7 of Chapter LXVIII. of the Laws of 1890 (Penal Laws, Sections 1518, 1521, 1522, 1523)."

"An Act amending certain Laws relating to Nuisances."

"An Act to amend certain Laws by striking out the words 'Fire Marshal' and inserting in lieu thereof the words 'Chief Engineer of the Fire Department.'"

"An Act to amend certain Laws by striking out the words 'Minister of the Interior' and inserting in lieu thereof the words 'Board of Health.'"

"An Act amending certain laws relating to the Board of Health."

"An Act relative to Vaccination, amending certain Laws on that Subject."

"An Act relating to the Hilo Fire Department, amending Sections 2, 10 and 19 of Chapter LXXXVI. of the Laws of 1892 (Penal Laws, Sections 1053, 1062 and 1072)."

Under suspension of the rules, Senator Achi introduced a bill entitled "An Act amending a portion of the Law relating to the Construction, Maintenance and Operation of a Street Railway in the District of Honolulu."

Senator Achi moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

Senator Achi introduced a bill entitled "An Act amending and repealing certain laws relative to Liquid Explosives."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

Senator Achi introduced a bill entitled "An Act repealing Section 1 of Act 9 of the Provisional Government relating to the Inspection of Explosive Substances."

Senator Isenberg moved that the bill pass first reading and be read second time tomorrow. Seconded by Senator Woods and lost.

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalaauokalani and carried.

Senator Achi introduced a bill entitled "An Act relating to the Quarantine of Animals, amending certain laws upon that subject."

Senator Achi moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

Senator Achi introduced a bill entitled "An Act relating to Building Permits in Honolulu, amending Section 2 of Chapter XVI. of the laws of 1886 as amended by Chapter LXXII. of the laws of 1890 (Penal Laws, Section 1079)."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

Senator Achi introduced a bill entitled "An Act relating to the Inspection, Testing, Storage and Sale of Kerosene Oil, amending Sections 2, 5, 6 and 7 of Chapter LXVIII. of the laws of 1890 (Penal Laws, Sections 1518, 1521, 1522, 1523)."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

Senator Achi introduced a bill entitled "An Act amending certain laws relating to Nuisances."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

Senator Achi introduced a bill entitled "An Act to amend certain laws by striking out the words "Fire Marshal" and inserting in lieu thereof the words "Chief Engineer of the Fire Department."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator McCandless and carried.

Senator Achi introduced a bill entitled "An Act to amend certain laws by striking out the words "Minister of the Interior" and inserting in lieu thereof the words "Board of Health."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing.

Senator Achi introduced a bill entitled "An Act amending certain laws relating to the Board of Health."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

Senator Achi introduced a bill entitled "An Act relative to Vaccination, amending certain laws on that subject."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

Senator Achi introduced a bill entitled "An Act relating to the Hilo Fire Department, amending Sections 2, 10 and 19 of Chapter LXXXVI. of the laws of 1892 (Penal Laws, Sections 1053, 1062, 1072)."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

Senator Baldwin for the Committee on Ways and Means gave notice of intention to introduce a bill entitled "An Act to Regulate and License Insurance Business in this Territory."

Under suspension of the rules Senator Baldwin for the Committee on Ways and Means introduced a bill entitled "An Act to Regulate and License Insurance Business in this Territory."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator McCandless and carried.

Senator Dickey gave notice of intention to introduce the following bills:

"An Act to repeal Act 35 of the Laws of 1898 relating to the importation of foreign goods marked as if Hawaiian."

"An Act relating to the protection of birds repealing Section 3 of Chapter 85 of the Penal Code as amended by Section 1 of Chapter 13 of the Session Laws of 1870 and Chapter 41 of the Session Laws of 1892."

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 112 as follows:

Honolulu, T. H., March 23, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee, to which was referred Senate Bill No. 112, report that it has had the same under consideration.

The bill is an almost exact copy of an amendment recom-

mended by this Committee to Senate Bill No. 21, Section 10.  
The committee recommend that the bill be laid on the table  
to be considered with Senate Bill 21.

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Dickey moved that the report of the Committee be adopted. Seconded by Senator McCandless and carried.

Senator Baldwin gave notice of intention to introduce a bill entitled "An Act relating to the Bonds of Public Officers."

The Senate proceeded with the order of the day.

Third Reading of House Bill No. 50, entitled "An Act to repeal certain laws relating to the Desertion of Married Persons from one another."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Nakapaahu and Paris—2.

Third Reading of House Bill No. 51, entitled "An Act to amend Sections 5 and 6 of Chapter XLI. of the Laws of 1870 (Penal Laws, Sections 1398, 1399) relating to Industrial and Reformatory Schools."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Wilcox and Woods—12.

Noes: None.

Not Present: Senators J. T. Brown, Nakapaahu and Paris—3.

Third Reading of House Bill No. 52, entitled "An Act relating to Waiver of Trial by Jury in Criminal Cases less than Felony."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless and Wilcox—11.

Noes: None.

Not Present: Senators J. T. Brown, Nakapaahu. Paris and Woods—4.



Third Reading of House Bill No. 54, entitled "An Act relating to the Jurisdiction of District Magistrates and Circuit Judges, repealing certain laws and amending others by striking out portions thereof as being unnecessary or of doubtful validity or of doubtful consistency with other laws."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless and Wilcox—11.

Noes: None.

Not Present: Senators Kaohi, Nakapaahu, Paris and Woods—4.

Third Reading of House Bill No. 59, entitled "An Act relating to Giving of Notice by Publication, amending and repealing certain laws upon that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless and Wilcox—12.

Noes: None.

Not Present: Senators Nakapaahu, Paris and Woods—3.

At 12 o'clock Senator Achi moved to take a recess until 2 o'clock Seconded by Senator Dickey and carried.

### AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

Third Reading of House Bill No. 55, entitled "An Act relating to Guardians and Wards."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, J. T. Brown, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless and Wilcox—10.

Noes: None.

Not Present: Senators Achi, Crabbe, Nakapaahu, Paris and Woods—5.

Third Reading of House Bill No. 70, entitled "An Act making special appropriations for the immediate use of the Judiciary Department, The Department of Public Works, The Department of Public Instruction, The Commission of Public Lands, The Board of Health and The Attorney General's Department."

Senator Dickey moved that the Committee on Revision revise the total. Seconded by Senator Achi and carried.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless, Paris, Wilcox and Woods—13.

Noes: Senator Kaohi—1.

Not Present: Senator Nakapaahu—1.

Third Reading of Senate Bill No. 37, entitled "An Act to amend Section 866 of the Penal Laws relating to the Board of Health."

Senator C. Brown moved to insert the words "of the laws" after the word "Act" in the title and in Section 1. Seconded by Senator Dickey and carried.

Senator Baldwin moved to amend by substituting the word "three" for the word "four" after the word "members," and the word "three" for the word "two" before the word "physicians" in Section 1.

Senator McCandless moved as an amendment to make the Section read "5 Laymen and 1 Physician."

The Chair then put the amendment of Senator McCandless, which was lost.

The amendment of Senator Baldwin was then put and lost.

Senator C. Brown moved that the Section pass as in the bill. Seconded by Senator Dickey and carried.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Nakapaahu—1.

Senator Isenberg moved to take up Senate Bill No. 21 for consideration. Seconded by Senator Woods and carried.

Second Reading of Senate Bill No. 21, entitled "An Act relative to the Manufacture and Sale of Intoxicating Liquors."

The President here called the Vice-President to the Chair.

Section 1. Senator C. Brown moved to amend by substituting "An Act providing for the Organization of Government and Counties" in place of 'An Act concerning Counties and the Organization and Government thereof; and the Management and Control of Public Works and Institutions therein,' Approved . . . . . A. D. 1903." Seconded by Senator Dickey and carried.

Section 2. Senator Dickey moved that the amendment proposed by the Committee be adopted. Seconded by Senator Crabbe and carried.

Section 3. Senator Dickey moved that the amendment proposed by the Committee be adopted. Seconded by Senator Baldwin and carried.

Senator Baldwin moved to defer further action until tomorrow.

Senator Crabbe moved as an amendment to defer consideration until Friday, the 27th. Seconded by Senator Woods and carried.

Senator Crabbe moved that Senate Bill No. 38 be deferred to Friday, the 27th. Seconded by Senator Woods and carried.

Third Reading of Senate Bill No. 45, entitled "An Act to authorize E. C. Winston, his associates and assigns to Construct, Maintain and Operate a Railroad in certain Districts on the Island of Oahu in the Territory of Hawaii."

Senator Dickey moved to defer consideration until Thursday, the 26th. Seconded by Senator Paris and carried.

Third Reading of Senate Bill No. 89, entitled "An Act to regulate and define the pay of Witnesses."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiuc, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Nakapaahu—1.

Second Reading of House Bill No. 38, entitled "An Act to amend Section 85 of Chapter XII. of the Penal Laws of 1897 relating to concealing of an infant."

Senator Achi moved that the bill pass second reading. Seconded by Senator Crabbe and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Kalauokalani and carried.

Second Reading of House Bill No. 42, entitled "An Act relating to Larceny, amending Section 15 of Chapter XVI. of the Penal Code as amended by Act 35 of the Laws of 1896 (Penal Laws, Section 132)."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalauokalani and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Woods and carried.

Second Reading of House Bill No. 43, entitled "An Act relating to Assault and Battery, amending Section 7 of Chapter IX. of the Penal Code as amended by Act 34 of the Laws of 1896 and adding a new Section to said Chapter IX."

Senator J. T. Brown moved that the bill pass second reading. Seconded by Senator Achi and carried.

Senator J. T. Brown moved that the bill be read third time tomorrow. Seconded by Senator Achi and carried.

Second Reading of House Bill No. 44, entitled "An Act relating to the receiving of Stolen Goods, amending Section 5 of Chapter XX. of the Penal Code (Penal Laws, Section 174)."

Senator J. T. Brown moved that the bill pass second reading. Seconded by Senator Woods and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Woods and carried.

Second Reading of House Bill No. 46, entitled "An Act relating to the Felonious Branding of Cattle, amending Section 1 of Chapter XXV. of the Penal Code (Penal Laws, Section 215)."

Senator Achi moved that the bill pass second reading. Seconded by Senator C. Brown and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Kalaauokalani and carried.

Second Reading of House Bill No. 47, entitled "An Act relating to embezzlement, amending Sections 2 and 3 of Chapter XVIII. of the Penal Code (Penal Laws, Section 158, 159)."

Senator Achi moved that the bill pass second reading. Seconded by Senator J. T. Brown and carried.

Second Reading of House Bill No. 48, entitled "An Act relating to burglary, amending Section 5 of Act 38 of the Laws of 1896 (Penal Laws, Section 106)."

Senator Achi moved that the bill pass second reading. Seconded by Senator J. T. Brown and carried.

Second Reading of House Bill No. 49, entitled "An Act to repeal Acts 12 and 77 of the Provisional Government (Penal Laws, Chapter 97) relating to the Importation and Sale of Opium."

Senator Kalaauokalani moved that the bill pass second reading. Seconded by Senator J. T. Brown and carried.

Second Reading of Senate Bill No. 102, entitled "An Act to prevent the furnishing of Intoxicating Liquors to inebriates or minors."

Senator Paris moved to amend by inserting after the word "except" the words "with the knowledge and approval of the parent or the guardian of said minor." Seconded by Senator Dickey and lost.

Senator Dickey moved that the report of the Committee be adopted. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 94, entitled "An Act to amend Section 6 of An Act entitled 'An Act to regulate names,' passed on the 24th day of August, A. D. 1880 as amended by Chapter XXX. of the Session Laws of 1872; and to repeal Section 5 of said Act." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 104, entitled "An Act relating to Attachments and Garnishments." Referred to the Judiciary Committee.

Under suspension of the rules Senator C. Brown for the Printing Committee reported Senate Bills Nos. 126, 127 and 128 printed and ready for distribution.

Second Reading of Senate Bill No. 126, entitled "An Act relating to amendments of process, pleadings and proceedings, amending Section 1145 of the Civil Code." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 127, entitled "An Act relating to Frauds in the sale of Butter or substances having the semblance of Butter, amending Section 2 of Chapter LXXXIV. of the Laws of 1892." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 128, entitled "An Act relating to liens of judgments and decrees and repealing Section 24 of Chapter LVII of the Laws of 1892." Referred to the Judiciary Committee.

Under suspension of the rules Senator Crabbe moved to take up House Bill No. 22, together with Senate Bill No. 34.

After considerable discussion Senator C. Brown, at 3:25 o'clock, moved to take a recess until 7 o'clock. Seconded by Senator Crabbe and carried.

## EVENING SESSION.

The Senate reconvened at 7:30 o'clock.

Third Reading of Senate Bill No. 1, entitled "An Act providing for the Organization and Government of Counties," continued.

The following amendments were made:

Chapter 18, Section 137. The word "shall" substituted for the word "must" in line 6.

Chapter 18, Section 163. The words "which shall be paid into the County Treasury as a County realization" added after the words "the following fees, viz.:"

Chapter 19, Section 170. The second paragraph commencing with the words "In lieu of fees" and ending with the word "field," stricken out.

Chapter 19, Section 175. The words "at the same compensation allowed stenographers in the Circuit Court," stricken out.

Chapter 19, Section 176. The word "shall" substituted for the word "must" in line 3, and the words "shall be" inserted in place of the word "are" in line 5.

Chapter 19, Section 178. The words "upon a dead body" stricken out in line 2 and the words "estate of the" in line 7 stricken out.

Chapter 19, Section 178. The words "upon a dead body" stricken out of line 12, and the word "shall" substituted for the word "must" in line 14.

Chapter 19, Section 179. The words "of the County, with the like authority, and subject to the same obligations and penalties as the coroner" stricken out at the end of the Section.

Chapter 24, Section 185. The words "of the Circuit Court" stricken out in lines 9 and 11.

Chapter 24, Section 189. The word "Tax" substituted for the word "Law" in line reading "Blanks below filled out at Law Office," and the word "Hawaiian" stricken out before the words "ships or vessels."

Chapter 27, Section 221. The word "in" substituted for the word "on" in line 5.

Chapter 27, Section 223. The words "less such charges for collection as are provided by law," stricken out of lines 14 and 15.

Chapter 27, Section 230. The word "if" inserted between the words "or" and "any" in line 5.

At 9:40 o'clock Senator Paris moved to adjourn. Seconded by Senator Kaohi and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

## THIRTY-FIRST DAY.

Wednesday, March 25th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, Kaohi and Nakapaahu (reported sick) absent.

A communication from the Clerk of the House of Representatives transmitting House Concurrent Resolution No. 7, relating to Sections 43 and 26 of the Organic Act, was read by the Clerk as follows:

Honolulu, H. T., March 23rd, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith transmit House Concurrent Resolution No. 7, which was duly adopted by this House this 23rd day of March, 1903.

Very respectfully,

SOLOMON MEHEULA.  
Clerk.

Senator Dickey moved that the resolution be referred to the Judiciary Committee. Seconded by Senator Kalauokalani and carried.

Senator Paris presented two petitions from residents of Kona, Hawaii, asking for an appropriation for a new jail and Court House to be situated at Kainaliu, North Kona, Hawaii.

Both petitions were laid on the table to be considered with the Loan Bill.

Senator Paris presented two petitions from residents of Kona, Hawaii, praying that the County Seat of West Hawaii be located at Kainaliu.

The petitions were laid on the table to be considered with the County Bill.

Senator Baldwin for the Committee on Ways and Means, reported on Senate Bill No. 65, as follows:

Honolulu, T. H., March 25, 1903.

HONORABLE C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 65, entitled "An Act Relative to Insurance Policies," begs leave to report that we have had the same under careful consideration.

We recommend that the bill be amended by striking out Section 1, and that with this amendment the bill pass. Section 1 provides that "No policy of Insurance shall be rendered invalid by reason of any statement, representation or warranty made by the insured unless the same shall be material to the risk or made with intent to defraud."

The Section is contrary to a clause in all Insurance Policies, that the Policy is made by the Insurance Company and accepted by the insured on the express condition and agreement that the statements therein contained are in all respects true.

The passage of this Section might lead to injustice to Insurance Companies, as the tendency of Juries is usually to favor the insured. Juries will undoubtedly take into consideration the question as to whether misrepresentations made in any particular case, are material to the risk or not, without there being any special law on this point.

Respectfully submitted,

H. P. BALDWIN,

J. D. PARIS,

S. E. KAIUE.

Senator C. Brown moved that the report be adopted. Seconded by Senator Dickey and carried.

Senator Baldwin for the same Committee reported on Senate Bill No. 86, as follows:

Honolulu, T. H., March 25, 1903.

HONORABLE C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Bill No. 86, entitled "An Act to amend Sections 2, 29, 51, 55, 57, 58, 70, 71, 72 and 79 of Act 51 of the Session Laws of 1896, and being also Sections 805, 832, 854, 858, 860, 861, 873, 874, 875 and 882 of the Civil Laws Relating to Internal Taxes," begs leave to report that we have had the same under careful consideration.



Under the provisions of this bill all Personal Taxes and Dog Taxes are due and payable the first day of January each year. All other taxes are due and payable, one-half on June 15th and the other half on December 15th, in each year.

Under the present law the personal taxes are payable March 31st, and all other taxes are payable in November of each year, so that the Treasury has a large amount of funds on hand after the taxes are collected, but is nearly depleted at other times.

The object of the bill is to divide the payment of taxes, so that one-half of the year's taxes will be received at the end of each six months, instead of at the end of the year as at present, and thus the Treasurer will have a more even amount of cash on hand throughout the year.

To collect taxes in this way, however, will necessitate more work and will probably cost more than the present method of collecting taxes, and will probably not be as satisfactory, either to the Assessor or the tax-payers, on account of arranging for appeals.

The County Bill makes full provision for the collection of taxes, and it is the opinion of your Committee that it is not necessary to pass this bill. The County Bill, now before the Senate, provides that the Income Tax and Personal Taxes are payable on or before the 30th day of June each year, and the Property Tax is payable on or before the 30th day of November of each year. The above method divides the payment of taxes somewhat, is better than the present law, and all things considered, meets with the approval of the Committee.

If the Senate is in favor of the method of collecting taxes as provided in the bill, we recommend that this method be incorporated in the County Bill, and that this bill be laid on the table.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator C. Brown moved that the report be adopted. Seconded by Senator McCandless and carried.

Senator C. Brown moved that Senate Bill No. 65 be read third time tomorrow. Seconded by Senator Dickey and carried.

Senator Baldwin for the same Committee reported on Senate Bill No. 85, as follows:

Honolulu, T. H., March 25, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Bill No. 85, entitled "An Act to amend Section 1 of Act 12 of the Session Laws of 1898, entitled 'An Act to Encourage the Cultivation of Coffee and Ramie,'" begs leave to report as follows:

The Act passed in 1898 exempted coffee trees, coffee mills and machinery from taxation, and this bill provides that the land actually in coffee should be exempted.

The policy of the Legislature has been to encourage industries that are struggling for existence in this country, by exempting them from taxation. Pineapples and canning machinery have been the past ten years exempt from taxation, and certainly the coffee industry needs as much encouragement as the pineapple industry.

We recommend the passage of the bill.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Baldwin moved that the report be adopted. Seconded by Senator Kalauokalani.

Senator Achi moved as an amendment that the report be laid on the table to be considered with the bill. Seconded by Senator Woods and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on Senate Bill No. 4, as follows:

Honolulu, T. H., March 25, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Standing Committee on Public Lands, Internal Improvements, Agriculture, etc., having had under consideration Senate Bill No. 4, begs leave to report upon the same. A number of hearings have at different times been given to parties manifesting interest in this measure and a petition has been received from citizens of Hilo. Your committee would respectfully recommend the following amendments, and that as so amended the bill do pass:

In Section 1, line 3, strike out all after the word "Hawaii," and strike out all of line 4.

In Section 2, line 2, insert after the words "or such other motive power," the words "excepting steam."

In Section 2, line 3, strike out the words "or double."

In Section 2, line 16, strike out the word "Hakalau," and insert in lieu thereof the words "junction Kaiwiki Road, and in the event that the Kohala and Hilo Railroad shall not be constructed to Hakalau within two years from the passage of this Act, then the said Company shall have the right to construct and operate its said road to Hakalau."

In Section 3, line 10, after the words "size and location of all wires," insert the words "and all building and repairing operations of the Company."

In Section 4, line 4, add the words "except steam."

Strike out all of Section 5 except the heading and insert in lieu thereof:

"Section 5. The Company shall be entitled to charge and collect for every passenger between any two points within a radius of three miles from the present location of the Court House in the said District of Hilo, upon such railway, a sum not to exceed five cents, and for greater distances not to exceed five cents per mile, and also to charge and collect reasonable rates for carrying packages and merchandise. Provided the Company shall at all times carry police officers on duty and going to and from duty and paid firemen going to and from duty, free of charge, and shall, between the hours of 7:30 a. m. and 10 o'clock a. m. and 2 o'clock p. m. and 3:30 o'clock p. m. carry children under the age of seventeen years, going to and from school, at one-half the regular passenger rates."

Section 8. Strike out lines 6 and 7 and insert in lieu thereof: "The rate of speed of cars shall not exceed eight miles an hour within the limits of the town of Hilo."

Section 11, line 4, strike out the words "for his approval" and insert in lieu thereof the words "and approved by him."

Section 12, line 12, strike out the word "may" and insert in lieu thereof the word "shall."

Section 12, line 15, strike out the words after the words "paid in full," and all of line 16.

Section 17, line 3, insert after the words "of its intention so to do," the words "and secure his approval."

Section 18, line 3, strike out the words "one block" and insert in lieu thereof the words "two hundred and fifty feet."

Section 19. Add to the section the following:

"Each year after the said road shall have been in operation for the period of five years, the said Company shall pay to the Territory between the first and tenth days of July of each year, two and one-half per cent. of the gross receipts of the said Company from all sources during the preceding year ending with the thirtieth day of June of each year, said moneys to be paid to the Superintendent of Public Works and by him to be

paid into the Territorial Treasury as current receipts, and the Superintendent of Public Works of the Territory and Treasurer of the Territory shall at all reasonable office hours have full access to any and all of the accounts of said Company for the purpose of verifying the Company's statement of gross receipts."

Section 12, line 10, strike out the words "one week" and insert in lieu thereof the words "an unreasonable time."

Respectfully submitted,

L. L. M'CANDLESS,  
J. D. PARIS,  
J. B. KAOHI,  
Committee.

Senator Achi moved that the bill be taken up for consideration at 2 o'clock today. Seconded by Senator Dickey and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 115, as follows:

Honolulu, T. H., March 25, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee, to which was referred Senate Bill No. 115, have had the same under consideration and report as follows:

This Act is what is commonly known as the "Torrens Land Act," and has been adopted by many States of the United States, and is in use in the District of Columbia.

It provides an economical and convenient manner of recording land titles, which, when the plan is fully adopted by the people, will do away with the present cumbersome plan of records and largely reduce the expense of land transfers.

The law is not compulsory and no change need be made in the present mode unless the parties so desire.

The plan proposed is such that under it land can be transferred with as great facility as shares of stock are at the present time.

Your committee recommend the passage of the Act.

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Achi moved that the report be adopted. Seconded by Senator C. Brown and carried.

Senator Achi moved that the bill be read third time on Monday, the 30th. Seconded by Senator C. Brown and carried.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 111, 113, 114, 118, 120, 119, 129 and 130 printed and ready for distribution.

Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 94A, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill 94A, relating to the validity of wills, report that the amendment proposed provides that the last will and testament of a person executed without the Territory, as long as it was executed in the manner prescribed by law of the place where executed, or of the testator's domicile, shall be of the same force and effect as if executed in the manner prescribed by the laws of the Territory.

We recommend the passage of the Act.

Honolulu, March 25th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Achi moved that the report be adopted. Seconded by Senator Isenberg and carried.

Senator Isenberg moved that the bill be read third time on Saturday, the 28th. Seconded by Senator Dickey and carried.

Senator C. Brown for the same Committee reported on Senate Bill No. 94, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 94, report that the bill amends Section 1882 of the Civil Laws, and relates to the method in which persons may change their names. Heretofore a person desiring to change his or her name made application to the Governor; before annexation, to the President of the Republic, and during the days of the monarchy, to the King and Privy Council. The Act now under consideration directs the application be made to a Circuit Judge in the Circuit in which such party resides, and directs notice to be given in some newspaper of the application, and when granted that notice be also given, and that the decree changing the name be recorded in the office of the Registrar of Conveyances.

The Act also provides that when an adoption is legalized, that the child's name may also be changed, but without the necessity of giving the notices required in the cases of adults wishing to change their names.

We think the amendments should be made, and recommend the passage of the Act.

Honolulu, March 25th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Isenberg moved that the report be adopted. Seconded by Senator Kalaauokalani and carried.

Senator Isenberg moved that the bill be read third time on Saturday, the 28th. Seconded by Senator C. Brown and carried.

Senator C. Brown for the same Committee reported on Senate Bill No. 105, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 105, beg leave to report that this Act was introduced as a substitute Act to Senate Bill No. 75, and provides for the redemption of real property sold under foreclosure of mortgage. Your committee recommend that the following amendment be made at the end of Section 2 by inserting: "Provided, however, that the provisions of this Act shall not entitle the person that may seek to redeem such real property to the possession of, nor to the rents, issues and profits thereof during the term in which such real property may be redeemed; and provided further, that the provisions of this Act as to the right to redeem may be waived by any person, by inserting the fact of such waiver as an agreement or condition in the mortgage at the time of the execution and delivery thereof."

With this amendment we recommend the Act pass.

Honolulu, March 25th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Isenberg moved that the report be adopted. Seconded by Senator Achi and carried.

Senator Isenberg moved that the bill be read third time on Saturday, the 28th. Seconded by Senator Achi and carried.

Senator C. Brown for the same Committee reported on Senate Bill No. 104, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 104, report that this Act relates to the attachment and the garnishment of property, and fills a want in the practice of law in this Territory long desired. Heretofore our law in this respect has been unsatisfactory, and, in fact, only under limited circumstances could attachments and garnishee process be obtained. The Chief Justice in his report to the Legislature treats on this matter and recommends the passage of a law on this subject, and your Committee understand that the Act submitted was submitted to him before introduction to this body, and that the Act has also the recommendation of the Bar Association.

We recommend the passage of the Act.

Honolulu, March 25th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Isenberg moved that the report be adopted. Seconded by Senator Achi and carried.

Senator Isenberg moved that the bill be read third time on Friday, the 27th. Seconded by Senator Achi and carried.

Senator C. Brown for the same Committee reported on Senate Bill No. 126, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 126, report that the Act in question amends the law so that amendments may be allowed to the process as well as the pleadings in a cause and at any time. The Act makes plain the rights of litigants in such matters, and is needed in the furtherance of justice and the practice of law.

We recommend the passage of the Act.

Honolulu, March 25th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Isenberg moved that the report be adopted. Seconded by Senator Achi and carried.

Senator Isenberg moved that the bill be read third time on Friday, the 27th. Seconded by Senator Achi and carried.

Senator C. Brown for the same Committee reported on Senate Bill No. 128, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee report that they have had Senate Bill No. 128 under consideration. The object of this Act is to make the judgment of a Court of record a lien upon real property; under existing law it is not. The law as it now stands makes the judgment of a District Court a lien upon real property upon performing the conditions laid down. The Act referred repeals the existing law and settles this matter, and provides that all judgments shall be liens upon real property, under the conditions laid down by the Act in question.

We recommend its passage.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Isenberg moved that the report be adopted. Seconded by Senator McCandless and carried.

Senator Isenberg moved that the bill be read third time on Friday, the 27th. Seconded by Senator Achi and carried.

Senator Achi moved that the Senate Bill No. 113 be referred to the Committee on Ways and Means. Seconded by Senator McCandless and carried.

At 11:55 o'clock Senator Isenberg moved to take a recess until 2 o'clock. Seconded by Senator Kalauokalani and carried.

#### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Second Reading of Senate Bill No. 4, entitled "An Act granting a franchise to Conduct, Maintain and Operate an Electric Railway in the District of Hilo, Island of Hawaii, Territory of Hawaii."

Senator Baldwin moved that the bill be read Section by Section. Seconded by Senator Dickey and carried.



Section 1. Senator Dickey moved that the Section pass as in the bill. Seconded by Senator J. T. Brown and carried.

Section 2. Senator Dickey moved that the recommendation of the Committee to insert after the words "or such other motive power" the words "excepting steam," in line 2, be adopted. Seconded by Senator McCandless and carried.

Senator Dickey moved that the recommendation of the Committee to strike out the words "or double," in line 3, be adopted. Seconded by Senator McCandless and carried.

Senator C. Brown moved to strike out the words "to Hakalau" and insert the words "from the new bridge two miles to or beyond Kawiki Gulch."

Senator Dickey moved to amend by inserting in line sixteen "to a point two miles from the present location of Hilo Court House." Senator C. Brown accepted the amendment, which carried.

Senator Dickey moved that the rest of the amendment proposed by the Committee be adopted. Seconded by Senator McCandless and carried.

Senator Dickey moved that the Section pass as amended. Seconded by Senator McCandless and carried.

Section 3. Senator Dickey moved that the report of the Committee in regard to this Section be adopted. Seconded by Senator McCandless and carried.

Senator Dickey moved to amend line 2 by inserting the word "or" in place of the word "of." Seconded by Senator Paris and carried.

Senator Dickey moved that the Section pass as amended. Seconded by Senator J. T. Brown and carried.

Section 4. Senator Baldwin moved to strike out the word "merchandise" in line 2. Seconded by Senator Dickey.

Senator Woods moved to amend by striking out the word "merchandise" and inserting "personal baggage and packages." Seconded by Senator Dickey and carried.

Senator McCandless moved to adopt the recommendation of the Committee, adding the words "excepting steam" to line 4. Seconded by Senator Dickey and carried.

Section 5. Senator Dickey moved that the report of the Committee be adopted in regard to this Section.

Senator Woods moved as an amendment that the amendment of the Committee be amended by striking out the word "merchandise" and inserting "personal baggage and packages." Seconded by Senator Dickey and carried.

Section 6. Senator Dickey moved that the Section pass as read. Seconded by Senator McCandless and carried.

Section 7. Senator Dickey moved that the Section pass as read. Seconded by Senator McCandless and carried.

Section 8. Senator Dickey moved that the Section pass as read. Seconded by Senator Kalaauokalani and carried.

Section 9. Senator Baldwin moved that the Section pass as read. Seconded by Senator J. T. Brown and carried.

Senator J. T. Brown moved to re-consider Section 9. Seconded by Senator Baldwin and carried.

Senator Baldwin moved to substitute the word "or" for the word "of." Seconded by Senator Dickey and carried.

Section 10. Senator Baldwin moved to insert the word "clean" in place of the word "cleanly." Seconded by Senator Dickey and carried.

Senator McCandless moved that the Section pass as amended. Seconded by Senator Baldwin and carried.

Section 11. Senator McCandless moved that the amendment of the Committee be adopted. Seconded by Senator Paris and carried.

Section 12. Senator Dickey moved that the amendment of the Committee be adopted. Seconded by Senator J. T. Brown and carried.

Senator McCandless moved to strike out the words "for one week" and insert "within reasonable time." Seconded by Senator Dickey and carried.

Senator McCandless moved that the Section pass as amended. Seconded by Senator Dickey and carried.

Section 13. Senator Dickey moved that the Section pass as read. Seconded by Senator J. T. Brown and carried.

Section 14. Senator Woods moved to add "subject to the approval of the Superintendent of Public Works." Seconded by Senator J. T. Brown and carried.

Senator McCandless moved that the Section pass as read. Seconded by Senator J. T. Brown and carried.

Section 15. Senator C. Brown moved to add at the end of Section the words "now in force or hereafter enacted." Seconded by Senator Dickey and carried.

Section 16. Senator Woods moved to strike out the word "merchandise" and insert "personal packages." Seconded by Senator Baldwin and carried.

Senator McCandless moved that the section pass as amended. Seconded by Senator J. T. Brown and carried.

Section 17. Senator McCandless moved that the amendment of the committee be adopted. Seconded by Senator Dickey and carried.

Section 18. Senator McCandless moved that the amendment of the committee be adopted. Seconded by Senator Dickey and carried.

Section 19. Senator McCandless moved that the amendment of the committee be adopted. Seconded by Senator C. Brown and carried.

Senator Dickey moved to amend by adding at the end of the amendment of the committee the words "provided, however, that in the event County Government is established, such money shall be paid into the County Treasury." Seconded by Senator C. Brown and carried.

Senator McCandless moved that the section pass as amended. Seconded by Senator Kalanokalani and carried.

Section 20. Senator C. Brown moved to strike out "thereof before any District Court." Seconded by Senator Dickey and carried.

Senator C. Brown moved to strike out the words "obligations by" and insert "provisions of." Seconded by Senator Dickey and carried.

Senator Paris moved that the section pass as amended. Seconded by Senator McCandless and carried.

Section 21. Senator Dickey moved to strike out the words "from the passage" and insert "upon its." Seconded by Senator C. Brown and carried.

Senator Dickey moved that the title pass as read. Seconded by Senator Kalanokalani and carried.

Senator J. T. Brown moved that the bill pass second reading and be read third time tomorrow. Seconded by Senator Dickey and carried.

Under suspension of the rules, Senator Baldwin introduced a bill entitled "An Act relating to Bonds of Public Officers."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Paris and carried.

Senator Dickey introduced a bill entitled "An Act to repeal Act 35 of the Laws of 1898, relating to the Importation of Foreign Goods marked as Hawaiian."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

Senator Dickey introduced a bill entitled "An Act relating to the protection of Birds, repealing Section 3 of Chapter LXXXV. of the Penal Code (as amended by Section 1 of Chapter XIII. of the Session Laws of 1870) and Chapter XLI. of the Session Laws of 1892."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator C. Brown and carried.

The Senate proceeded to the order of the day.

Third Reading of House Bill No. 38, entitled "An Act to amend Section 85 of Chapter XII. of the Penal Laws of 1897 relating to concealing of an infant."

Senator C. Brown moved to amend the title by inserting the words "or death" after the word "concealing." Seconded by Senator Dickey and carried.

The bill was lost on the following showing of ayes and noes:

Ayes: Senators Baldwin, J. T. Brown, Dickey, McCandless, Paris and Wilcox—6.

Noes: Senators Achi, C. Brown, Crabbe, Kalaauokalani, Kaohi and Woods—6.

Not Present: Senators Isenberg, Kaiue and Nakapaahu—3.

Third Reading of House Bill No. 42, entitled "An Act relating to Larceny, amending Section 15 of Chapter XVI. of the Penal Code as amended by Act 35 of the Laws of 1896 (Penal Laws, Section 132)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of House Bill No. 43, entitled "An Act relating to Assault and Battery, amending Section 7 of Chapter IX. of the Penal Code as amended by Act 34 of the Laws of 1896 and adding a new Section to said Chapter IX."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kaohi, McCandless, Paris, Wilcox and Woods—12.

Noes: Senator Kalaauokalani—1.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of House Bill No. 44, entitled "An Act relating to the receiving of Stolen Goods, amending Section 5 of Chapter XX. of the Penal Code (Penal Laws, Section 174)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of House Bill No. 46, entitled "An Act relating to the Felonious Branding of Cattle, amending Section 1 of Chapter XXV. of the Penal Code (Penal Laws, Section 215)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of House Bill No. 47, entitled "An Act relating to embezzlement, amending Sections 2 and 3 of Chapter XVIII. of the Penal Code (Penal Laws, Section 158, 159)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of House Bill No. 48, entitled "An Act relating to Burglary, amending Section 5 of Act 38 of the Laws of 1896 (Penal Laws, Section 106)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of House Bill No. 49, entitled "An Act to repeal Acts 12 and 77 of the Provisional Government (Penal Laws, Chapter 97) relating to the importation and sale of Opium."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

Third Reading of Senate Bill No. 112, entitled "An Act to amend Act 64 of the Session Laws of 1896 by adding a new Section to be numbered Section 'A.'"

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaime, Kalaauokalani, Kaoli, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Isenberg and Nakapaahu—2.

At 3:55 o'clock Senator Baldwin moved to take a recess until 7:30 o'clock. Seconded by Senator J. T. Brown and carried.

#### EVENING SESSION.

Third Reading of Senate Bill No. 1, entitled "An Act providing for the Organization and Government of Counties," continued.

The following amendments were made:

Section 257. The words "in the form prescribed by law" stricken out of last line.

Section 268. The words "Unless otherwise herein provided" stricken out of the last paragraph, and the words "be paid into the County Treasurer" substituted for the words "remain as by law now provided."

Section 273. The word "shall" substituted for the word "must" in lines 3 and 5.

Section 281. The words "From and after the date of the passage of this Act" stricken out in line 1.

Section 291. Amended to read "Section 291. The Tax Collector is authorized to issue licenses to sell Awa in each County in the Territory. Each license shall be for the term of one year. The annual fee for such license shall be Twenty-five Dollars."

Section 292. Stricken out.

Section 295. Stricken out.

Section 293. Amended to read as follows: "Section 292. Any Person who shall sell Awa without a license shall be fined not less than Twenty-five nor more than One Hundred Dollars."

Section 293. "For the County of West Hawaii, Fifty Dollars," amended to read "For the County of West Hawaii, Twenty-five Dollars," and the line "For the County of Kauai, Fifty Dollars," amended to read "For the County of Kauai, Twenty-five Dollars."

Section 317. The words "Ten Dollars" substituted for the words "Five Dollars."

Section 318. The words "or who being licensed to hunt, shall hunt with any unlicensed fire-arms" stricken out.

Section 320. "Ten Dollars" inserted in place of "Two Dollars."

Section 322. The words "by law" in line 11, stricken out.

Section 341. The words "or any performance or exhibition" inserted in line 11 between the words "exhibition" and "other."

Section 352. The words "shall use a" inserted in line 5 between the words "license" and "harness."

At 9:50 o'clock Senator Baldwin moved to adjourn. Seconded by Senator Paris and carried.



Clerk of the Senate.

Approved by the Senate.



President of the Senate.

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### THIRTY-SECOND DAY.

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Thursday, March 26th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Isenberg (excused), Kalauokalani, Nakapaahu (reported sick) and Paris absent.

The Journal of the Thirty-first Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Dickey, approved as read.

A communication from the Treasurer of the Territory of Hawaii relating to Silver and Gold Certificates was read by the Clerk, as follows:

Honolulu, Oahu, March 25, 1903.

HON. C. L. CRABBE,  
President of the Senate.  
Territory of Hawaii.

Sir:—There is on deposit this 25th day of March, A. D. 1903, in the Vault of the Treasury of the Territory of Hawaii, the following Silver and Gold Certificates of Deposit cancelled and withdrawn from circulation. I beg leave to submit the matter of destroying the same to your Honorable Body:

#### GOLD CERTIFICATES.

\$ 5.00	Certificates.....	\$ 14,915 00
10.00	" .....	29,900 00
20.00	" .....	39,960 00
50.00	" .....	79,950 00
100.00	" .....	90,000 00
		<hr/>
		\$ 254,725 00

#### SILVER CERTIFICATES.

\$ 5.00	Certificates.....	\$ 12,315 00
10.00	" .....	44,640 00
20.00	" .....	64,760 00
50.00	" .....	80,150 00
100.00	" .....	106,300 00
		<hr/>
		\$ 308,165 00

Respectfully submitted,

A. N. KEPOIKAI,  
Treasurer.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 121 and 122 printed and distributed.

Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 117, as follows:



HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 117, report that they have had said bill under consideration, and that the bill seeks to amend existing law on corporations to conform to the Organic Act and other laws.

The amendment to Section 2016 of the Civil Laws relates to the sale or assignment by way of collateral of stock and provides for the transfer of title, etc., and the effect of such transfer.

The amendment to Section 2021 strikes out the word "national" and inserts "legal," and relates simply to the time in which the stock transfer or Register Book may be examined by stockholders and creditors of the corporation.

The amendment to Section 2024 places the power of compelling the production of the books and papers with a Circuit Judge instead of a Court of Chancery.

The amendment to Sections 2025 and 2029 provides that the granting of a Charter by the Treasurer of the Territory shall be with the consent of the Governor.

The amendment to Section 2027 provides that the Treasurer shall not grant any Charter which in its terms may or shall institute a monopoly or grant perpetual charters except for certain purposes. The law as it now stands might allow a Charter instituting a monopoly for five years. We think the amendments necessary, and therefore recommend the passage of the Act.

Honolulu, March 26, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Kalaauokalani moved that the report be adopted. Seconded by Senator Kaiue and carried.

Senator Dickey moved that the bill be read third time tomorrow. Seconded by Senator C. Brown and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 90, as follows:

Honolulu, March 25, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions, to which was referred Senate Bill 90, beg leave to report that it has had the same under consideration.

This Act exempts the Kona-Kau R. R. from the payment of taxes on its property for the term of five years. Your Committee is of the opinion that this would be a bad precedent to establish, and would lead to endless applications for relief from unsuccessful business enterprises all over the Island. If the Kona-Kau R. R. cannot make a success of the venture unless their taxes are remitted they cannot make a success of it at all.

Your Committee recommend that the bill be laid on the table

Respectfully submitted,

C. H. DICKEY, Chairman  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Kalaauokalani moved that the report be indefinitely postponed. Seconded by Senator Achi and lost.

Senator McCandless moved that the report of the Committee be laid on the table to be considered with the bill. Seconded by Senator Wilcox and carried.

Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 116, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 116, report that the Bill seeks to amend Sections 1 and 5 of Act 45 of the Laws of 1898 relating to the carrying on of business in this Territory by foreign corporations and incorporated Companies, and provides that certain acts be done before such Companies are entitled to carry on business. The law as it now stands is defective, providing for no penalty, and does not require the conditions in Section 1 of the Act to be performed before engaging in business; the amendment makes such a condition before allowing the Company to enter in or begin business, and provides a penalty not only against the Company, but against the party acting as its agent.

We recommend the passage of the Act.

Honolulu, March 26th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Kalaauokalani moved that the report of the Committee be adopted. Seconded by Senator McCandless and carried.

Senator C. Brown moved that the bill be read third time on Monday, the 30th. Seconded by Senator McCandless and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 127, as follows:

Honolulu, T. H., March 26, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions and Joint Resolutions, to which was referred Senate Bill 127, have had the same under consideration and report:

This Act amends the present law by eliminating the words "import," "manufactures," "imported" and "manufactured," and slightly changes the phraseology. It also reduces the maximum imprisonment for breach of the law to thirty days, leaving the fine as at present, not over \$250.

Your committee recommends the passage of the Act.

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Kalauokalani moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Kaohi and carried.

Senator Baldwin for the Committee on Ways and Means reported on Senate Bill No. 110, as follows:

Honolulu, T. H., March 26, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 110, recommends the passage of the Bill, with the following amendments:

In Section 1, Line 7, printed copy. Insert after the word "person" the following: "provided the amount he is indebted to such other person is equal to the amount of the personal tax."

In Section 2, Line 8, strike out the words "credits, claims, demands," after the word "contracts."

In Section 3, strike out lines 21, 22, 23, 24, 25 and 26, and insert in place thereof the words "And provided further that when any real estate or house is leased or rented, the sum of

ten years' rental thereof shall be the assessment value of such real estate or house, unless such valuation shall be manifestly unfair or unjust."

With the above amendments, your Committee recommends the passage of the Bill.

Respectfully submitted,

H. P. BALDWIN,  
S. E. KAIUE.

I concur in the above report, except in the increase to ten years' rental. I consider the present eight years' rental fair.

J. D. PARIS.

Senator C. Brown moved that the report of the Committee be laid on the table to be considered with the bill. Seconded by Senator Kalaanokalani and carried.

Senator Paris for the Committee on Public Expenditures reported on Senate Bill No. 46, as follows:

Honolulu, T. H., March 26, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Standing Committee on Public Expenditures, having had under consideration Senate Bill No. 46, being "An Act to amend Section 14 of Chapter 23 of the Session Laws of 1884, also being Section 2070 of the Civil Laws of the Territory of Hawaii, as set forth in a compilation made by Sidney M. Ballou," begs leave to report upon the same.

This bill, as understood by your committee, very largely increases the powers and extends the scope and field of banks doing business under our present law.

For the reason that there was evidenced keen interest in the bill by the larger financial factors, your committee called a meeting at which all who wished to attend could be heard. This meeting was held on the 20th inst., and there was a representative attendance. The consensus of public opinion, as brought out at that meeting was that the bill was altogether too sweeping in its character, as it would permit banks to engage in the realty business generally, in the stock and share business as brokers, and to act in all relations as trustees, guardians, executors, administrators, assignees, receivers and depositaries. It was further brought out at this meeting that under the proposed law a bank could have leave to engage in any business that any individual, firm or corporation might undertake.

Under the present Banking Act, which Act 46 proposes to amend, the banks are practically confined to proper banking transactions as understood heretofore in this Territory and as followed elsewhere, and your committee believes that the present banking law is sound and sufficient. We point out that it has stood the severest tests incident to a financial stringency, and that it has met with the unqualified and substantial approval of the best financiers of the Mainland and of foreign countries.

Your committee casts no reflection upon the banks as at present conducted, but if their powers were increased as proposed by Bill No. 46 there would be a strong temptation at times to venture beyond the safe limits of legitimate banking. We believe that the Banks of this Territory should be confined in their operations, enterprises and connections to the standard and time-honored functions of banks as recognized here and elsewhere. Under the present law the banks of Hawaii have enjoyed the fullest confidence not only of the people of the Territory, but of the whole business world, and we believe that it would be dangerous to allow all or any considerable number of the innovations proposed by Bill No. 46. This Bill is an almost identical copy of the charter of the Union Trust Company of San Francisco. It would permit banks to engage in trust business generally, thus invading locally a financial field already well filled and restricting many large undertakings to banks solely, while there is ample scope for the present banks and perhaps for others in the banking field as prescribed in the present law.

Your committee would be willing to recommend that banks be allowed to engage, under proper restrictions, in the business of being depositaries, but neither this nor other concessions, as your committee understood the public discussion of the measure, would satisfy those persons or interests urging the enactment of Bill No. 46. Your committee, therefore, fearing confusion or worse in the larger business world of the Territory, recommends that this bill be laid on the table.

Your committee considers it germane to this report to call the attention of the Senate to the fact that for several years the Territorial authorities charged with the duty under the banking law as now on the statute books, have failed entirely to examine and report upon the affairs of incorporated banks, as specifically directed so to do by law. These inspections, for the reason that they are required by law and are important to the public interests as well as due the banks, should be made, and your committee, therefore, notes this neglect.

Respectfully submitted,

J. D. PARIS,

L. L. McCANDLESS,  
Committee.

Senator Paris moved that the report of the Committee be laid on the table to be considered with the bill. Seconded by Senator C. Brown and carried.

Senator C. Brown offered the following resolution relating to Senate Bills in the House of Representatives:

**RESOLUTION.**

Whereas, the Senate of the Territory of Hawaii has passed some sixty Acts, which have been duly transmitted to the House of Representatives for consideration; and,

Whereas, none of said Acts, with perhaps one or two exceptions, have so far as is known received any consideration whatever, nor been referred to committees of said House;

Therefore, be it Resolved, That it is the sense of the Senate of the Territory that the clerk communicate with the House of Representatives asking that information be furnished as to the disposition or intended disposition of the several Acts or Bills already transmitted to it.

CECIL BROWN,

Senator 3rd District.

Senator Kaohi moved that the resolution be laid on the table. Seconded by Senator Kalauokalani and lost.

Senator C. Brown moved that the resolution be referred to a special committee. Seconded by Senator McCandless and carried.

Senator Dickey offered a Joint Resolution authorizing the Treasurer to destroy cancelled Silver and Gold Certificates in the presence of the President of the Senate and the Speaker of the House of Representatives as follows:

**JOINT RESOLUTION.**

Resolved, by the Senate and House of Representatives of the Territory of Hawaii, That the Treasurer is hereby empowered to destroy the cancelled Silver and Gold Certificates now in the Treasury, in the presence of the President of the Senate and the Speaker of the House of Representatives.

C. H. DICKEY.

Senator 2nd District.

Senator Achi moved that the resolution be adopted. Seconded by Senator McCandless and carried.

Senator McCandless gave notice of intention to introduce a bill entitled "An Act to create a Territorial Department of Secret Service."

Under suspension of the rules, Senator McCandless introduced a bill entitled "An Act to create a Territorial Department of Secret Service."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Achi and carried.

Senator C. Brown for the Printing Committee reported Senate Bill No. 136 printed and ready for distribution.

Senator Kalaauokalani offered a resolution that the members of the Senate be allowed to smoke during sessions for the balance of the term, as follows:

#### RESOLUTION.

Resolved, That the members of the Senate be allowed from this date to smoke, for the balance of the Session.

D. KALAUOKALANI,  
Senator 3rd District.

Honolulu, March 26th, 1903.

Senator Kalaauokalani moved that the resolution be adopted. Seconded by Senator Kaohi and lost.

Senator C. Brown gave notice of intention to introduce a bill entitled "An Act relating to the Construction and Operation of Railways, and amending an Act entitled 'An Act to promote the Construction of Railways,' being Chapter 29 of the laws of 1878."

The Senate proceeded to the order of the day, Senator Isenberg in the Chair.

Third Reading of Senate Bill No. 45, entitled "An Act to authorize E. C. Winston, his associates and assigns, to Construct, Maintain and Operate a Railroad in certain Districts in the Island of Oahu in the Territory of Hawaii."

Senator Kalaauokalani moved that the bill be referred back to the Committee on Miscellaneous Petitions. Seconded by Senator Dickey and carried.

At 11:55 o'clock Senator Kalaauokalani moved to take a recess until 2 o'clock. Seconded by Senator J. T. Brown and carried.

## AFTERNOON SESSION.

The Senate re-convened at 2 o'clock, the Vice-President in the Chair.

Third Reading of Senate Bill No. 65, entitled "An Act relative to Insurance Policies."

Senator Isenberg moved to postpone consideration for one week. Seconded by Senator McCandless and carried.

Third Reading of Senate Bill No. 4, entitled "An Act granting a franchise to Conduct, Maintain and Operate an Electric Railway in the District of Hilo, Island of Hawaii, Territory of Hawaii."

Senator McCandless moved to insert in Section 2, after the words "two miles" the words "from the passage and approval of this Act by the Governor, the said Company shall have the right to construct said road to Hakalau." Seconded by Senator C. Brown and carried.

Senator Achi moved that the bill be referred back to the Committee on Miscellaneous Petitions. Seconded by Senator Isenberg and lost on a vote of 6 to 6, the Chair voting against the motion.

Senator Isenberg moved to amend Section 4 by striking out the word "Packages" and inserting "small parcels." Seconded by Senator Dickey and carried.

Senator Dickey moved to amend Section 5 by adding after the word "baggage" the words "and small parcels." Seconded by Senator Woods and carried.

Senator Dickey moved to amend Section 2 by inserting after the word "miles" the words "constructed from Waiakea to Hakalau within three years after July 1st, 1903."

Senator Achi moved to amend the amendment so as to read "constructed from Waiakea to Hakalau within three years after the approval of the Congress of the United States." Senator Dickey accepted the amendment, which carried.

Senator Dickey moved to amend by striking out the word "make" in line 1 of Section 16. Seconded by Senator Isenberg and carried.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Dickey, Isenberg, Kaiue, Kalanokalani, Kaohi, McCandless, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Crabbe and Nakapaahu—2.



At 3:30 o'clock Senator Isenberg moved to take a recess until 7:30 o'clock. Seconded by Senator Kalauokalani and lost.

Second Reading of Senate Bill No. 85, entitled "An Act to amend Section 1 of Act 13 of the Session Laws of 1898, entitled 'An Act to encourage the cultivation of Coffee and Ramie.'"

Senator Dickey moved that the report of the Committee be adopted. Seconded by Senator Baldwin and carried.

Senator Dickey moved that the bill be read third time on Monday, the 30th. Seconded by Senator Baldwin and carried.

Second Reading of Senate Bill No. 111, entitled "An Act to provide against the adulteration of Food and Drugs." Referred to the Committee on Health and Education.

Second Reading of Senate Bill No. 114, entitled "An Act relating to the Office of Superintendent of Public Works and prescribing certain duties in connection therewith." Referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Second Reading of Senate Bill No. 118, entitled "An Act relating to partnerships, amending Section 4 of Chapter LXX. of the Session Laws of 1886 and repealing Section 2 of Chapter XXVIII. of the Session Laws of 1880." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 119, entitled "An Act relating to the Incorporation of Banking Companies, amending and repealing certain laws on that subject." Referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 120, entitled "An Act to amend Sections 34, 35 and 39 of Chapter 59 of the Penal Code and Sections 2 and 3 of Chapter 67 of the Session Laws of 1892 relating to Vaccination."

Senator Isenberg moved that the bill pass second reading. Seconded by Senator Achi and carried.

Senator Isenberg moved that the bill be read third time on Monday, the 30th. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 129, entitled "An Act to permit the Distillation of Spirits and Spirituous Liquors in this Territory, and the sale thereof; and to repeal all laws which prohibit such distillation and sale." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 130, entitled "An Act relating to Persons and Companies in the Business of Insurance." Referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 132, entitled "An Act authorizing the issue of Two Million, Six Hundred and Fifteen Thousand, Five Hundred and Seventy Dollars (\$2,615,570.00) of Bonds of the Territory of Hawaii, with interest coupons attached within the biennial period that will end with the Thirtieth day of June, 1905, and to define the purposes for which the money therefrom shall be expended."

Senator Dickey moved that the bill be made the special order of the day on Tuesday, the 31st. Seconded by Senator McCandless and carried.

Second Reading of Senate Bill No. 121, entitled "An Act to provide for the publication of one Volume of the Reports of the Decisions of the United States District Court for the Territory of Hawaii." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 122, entitled "An Act to provide for the acquisition by the Territory of Hawaii of the Kaaikahi and Kahuawai Springs of Pauoa Valley and the waters thereof." Referred to the Special Committee on Pahoa Water Works.

Second Reading of Senate Bill No. 136, entitled "An Act to provide for a High School in Hilo, Island and Territory of Hawaii, under the Department of Public Instruction." Referred to the Committee on Health and Education.

At 3:40 o'clock Senator Kalaauokalani moved to take a recess until 7:30 o'clock. Seconded by Senator Dickey and carried.

#### EVENING SESSION.

The Senate re-convened at 7:30 o'clock.

Third Reading of Senate Bill No. 1, entitled "An Act providing for the Organization and Government of Counties," continued.

The following amendments were made:

Section 357. The words "before any District Magistrate," stricken out.

Section 358. The words "before any District Magistrate," stricken out.

Section 376. The words "to the nearest District Magistrate," stricken out.

Section 368. The words "upon complaint to any District Magistrate," stricken out.

Section 373. The words "the sum of," stricken out of line 5.

Section 381. The words "Superintendent of Public Instruction" inserted after the word "Auditor."

Section 388. The word "four" inserted in place of "three" in line 6.

Section 402. The words "Chapter 7 of the Civil Laws of 1888" substituted for "Chapter 75 of the Civil Laws of 1897."

Section 404. The word "law" substituted for "Chapters 10, 11, 12 and 13 of the Civil Laws of 1897."

Section 424. The word "arising" stricken out of line 1.

Section 433. The word "law" substituted for the words "Section 54 of the Appendix of Civil Laws of 1897, being 'Rules and Regulations for administering oaths and holding Elections.'"

Section 434. The word "law" substituted for the words "Section 55 of said Appendix."

Section 437. The word "law" substituted for the words "Section 58 of said Appendix" in line 4, "Section 59 of said Appendix" in lines 5 and 6, "such Section" in line 8, "Section 60" in line 9, and the words "as by law provided" inserted at the end of the Section in place of the words "are those of Section 61 of said Appendix."

Section 440. The word "law" substituted for "Section 69 of such Appendix," in line 2.

Section 441. The word "law" substituted for "the provisions of Section 71 of said Appendix" in line 2, "Said Section" in line 7 and "Said Section" in line 11.

Section 442. The word "law" substituted for the words "Section 75 of the Appendix" in line 2 and "Said Section" in line 6.

Section 445. The word "law" substituted for "Said Appendix."

Section 447. The word "Law" inserted in place of "Section 93 of said Appendix."

Section 448. The word "law" inserted in place of "Section 95 of said Appendix."

Section 455. The words "by law" inserted in place of the words "for in Chapter 77 of the Civil Laws of 1897."

Section 456. The word "law" inserted in place of "said Chapter" in line 2, "said Chapter" in line 6 and "the same Chapter" in line 9.

Section 461. The word "law" inserted in place of the words "Section 86 of the Appendix to the Civil Laws of 1897." The words "shall be as provided by Section 91 of said Appendix," stricken out in lines 8 and 9. The words "shall be as provided by Section 93 of said Appendix," stricken out of lines 9 and 10. The word "law" inserted in place of the words "Section 95 thereof" in last line of Section.

Section 462. The word "law" inserted in place of the words "Section 75 of said Appendix."

Section 465. The word "law" inserted in place of the words "the provisions of Section 71 of said Appendix," and the words "by the seventh sub-division thereof," stricken out.

Section 466. The words "law relating to general elections" inserted in place of "Sections 72, 73, 76, 77, 78, 79, 80, 81, 82, 83, 84, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, and 110 of said Appendix."

Section 467. The word "law" inserted in place of the words "Sections 111 and 112 of said Appendix."

Section 478. The words "Attorney General" inserted in place of the words "High Sheriff" in last line of the Section.

Section 480. The word "Governor" inserted in place of the words "Superintendent of Public Works," in last line.

Section 481. The word "Governor" inserted in place of the words "Superintendent of Public Works," in last line.

Section 482. The word "Governor" inserted in place of the words "Superintendent of Public Works," in last line.

Senator C. Brown moved that the supplementary report of the special committee be adopted. Seconded by Senator McCandless and carried.

Senator Dickey moved to strike out in Section 266 the words "Chapter 63 of the Civil Laws of Hawaii" and insert the words "the laws," and in Section 276 strike out the words "Chapter 61 of the Civil Laws of 1897" and insert the word "law." Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the bill pass third reading. Seconded by Senator McCandless and carried on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, Isenberg, Kaieue, Kalauokalani, McCandless, Paris and Wilcox—11.

Noes: None.

Not Present: Senators J. T. Brown, Kaohi, Nakapaahu and Woods—4.

Second Reading of Senate Bill No. 84, entitled "An Act to provide for the Incorporation and Government of Cities within the Territory of Hawaii."

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

At 10 o'clock Senator Kalaauokalani moved to adjourn. Seconded by Senator Baldwin and carried.

*William B. Dickey*

Clerk of the Senate.

Approved by the Senate:

*Clarence L. Crabbe*

President of the Senate.

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### THIRTY-THIRD DAY.

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Friday, March 27th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Nakapaahu (reported sick) and Paris absent.

The Journal of the Thirty-Second Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kaiue, approved as read.

A communication from the Treasurer of the Territory relating to unpaid bills of the Tax Bureau was read by the clerk, as follows:

Honolulu, Oahu, March 26th, 1903.

HONORABLE C. L. CRABBE,

President of the Senate.

Territory of Hawaii.

Sir:—On the 14th inst. I addressed a communication to His Excellency the Governor of the Territory of Hawaii, wherein I submitted to him a list of Unpaid Bills of the Tax Bureau throughout the Territory amounting to \$2,241.18, and the esti-

mated expenditures per Taxation Division to the end of the present Fiscal Period, amounting in all to \$6,000.00.

I notice that the Governor has submitted the unpaid bills for your consideration, but I have failed to see an item in the Emergency Bill covering the balance of the estimated expenditures, to-wit: \$3,758.82.

I, therefore, respectfully submit for the consideration by your Honorable Body of the amount of \$3,758.82 to be placed as one of the items in the Emergency Bill under this Department.

Enclosed are copies of my communication herein referred to.

Very respectfully yours,

A. N. KEPOIKAI,  
Treasurer.

Senator C. Brown moved that the communication be referred to the Committee on Public Expenditures. Seconded by Senator Paris and carried.

A communication from the Clerk of the House of Representatives, transmitting House Bill No. 28, was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., March 25th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith transmit House Bill No. 28, entitled 'An Act relating to Passenger Vehicles and Drivers, and to Regulate and License the same,' which has duly passed its third reading in the House of Representatives, Territory of Hawaii, on this 25th day of March, A. D. 1903.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

The following communication from the Clerk of the House of Representatives, transmitting (1) House Joint Resolution No. 3, relating to qualifications of Grand and Trial Jurors and, (2), House Concurrent Resolution No. 8, relating to the appointment of a Conference Committee to consider the amendments proposed by the Senate to House Bill No. 70, was read by the Clerk:

Honolulu, H. T., March 26th, 1903.

To the Honorable President and  
Members of the Senate of the  
Territory of Hawaii.

I have the honor to herewith transmit the following resolutions, which were this day adopted by the House of Representatives:

1. House Joint Resolution No. 3, introduced by the Hon. Chas. H. Pulaa, relating to qualifications of Grand and Trial Jurors.

2. House Concurrent Resolution No. 8, introduced by the Hon. S. F. Chillingworth, relating to the appointment of a Conference Committee to consider the amendments proposed by the Senate to House Bill No. 70.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

Approved:

F. W. BECKLEY,  
Speaker.

#### HOUSE JOINT RESOLUTION NO. 3.

Introduced by Mr. Pulaa.

Be it Resolved, by the House of Representatives, and Concurred in by the Senate:

That the Congress of the United States be and is hereby respectfully requested to amend Section 83 of "An Act to provide a Government for the Territory of Hawaii," so that a person who is a male citizen of the United States and twenty-one years of age and who understandingly speaks, reads and writes the English or Hawaiian language, shall be a qualified juror or Grand Juror in the Territory of Hawaii;

Be It Resolved, That the Governor of this Territory be and is hereby requested to transmit a duly certified copy of this Joint Resolution to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and the Delegate of the Territory of Hawaii, with the request that this Joint Resolution be laid before the Congress of the United States.

## HOUSE CONCURRENT RESOLUTION NO. 8.

Whereas, the House of Representatives has declined to adopt the amendments of the Senate relating to House Bill No. 70,

Be It Resolved, the Senate concurring, That a Conference Committee consisting of six members (three from the Senate and three from the House) be appointed to consider the subject matter of the amendments.

Senator Baldwin moved that the resolution in regard to the appointment of a Conference Committee be adopted. Seconded by Senator Dickey and carried.

The Chair appointed Senators C. Brown, Paris and J. T. Brown as a committee.

Senator Baldwin moved that the resolution in regard to Grand and Trial Jurors be referred to the Judiciary Committee. Seconded by Senator Dickey and carried.

A communication from Wilder's Steamship Company tendering the use of the steamer "Kinau" for the use of the committee to visit the Leper Settlement was read by the Clerk, as follows:

Honolulu, T. H., March 26th, 1903.

HON. C. L. CRABBE,

President of the Senate.

HON. F. W. BECKLEY,

Speaker of the House of Representatives,  
Territory of Hawaii.

Gentlemen:—We respectfully tender the use of our steamer "Kinau" to the Legislature for the purpose of visiting the Leper Settlement; to sail either on Saturday, March 28th, or Saturday, April 11th, at any time you may desire after 5 p. m.; to remain at Kalaupapa all day Sunday and to return at such hour as you may desire.

The "Kinau" will go on the Marine Railway Saturday, April 4th, consequently she will make a quicker passage on the 11th of April than she would on the 28th of March.

Very respectfully,

WILDER'S STEAMSHIP CO.,  
C. L. WIGHT, President.

Senator Baldwin moved that Senator Dickey be appointed a committee of one to confer with the Speaker of the House of Representatives in regard to when the Committee from the House would visit the Leper Settlement.



Senator C. Brown for the Printing Committee reported on Senate Bills Nos. 133 and 131 printed and distributed.

Senator Baldwin for the Committee on Ways and Means, to which was referred Senate Bill No. 113, made a verbal report that Senate Bill No. 113 was identically the same as Senate Bill No. 110, and recommended that the bill be indefinitely postponed.

Senator Baldwin moved that the report of the Committee be adopted. Seconded by Senator C. Brown and carried.

Senator Baldwin for the Committee on Ways and Means reported on Senate Bill No. 130, as follows:

Honolulu, T. H., March 27, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 130, entitled "An Act relating to Persons and Companies engaged in the Business of Insurance," begs leave to report as follows:

This Bill provides that no Person, Company or Corporation shall carry on the Insurance business in this Territory, without first depositing with the Treasurer, approved Bonds, of the aggregate market value of \$25,000, to be held as a trust fund for the benefit of the creditors of such Company, and for the payment of claims established by judgments of the Courts. It is provided, however, that the Act does not apply to any Companies owning real estate in this Territory of the value of \$25,000.

There are Seventy-two (72) Fire insurance Companies in this Territory, besides several Marine and Life Insurance Companies. All the above Companies are branches of Insurance Companies who have their principal places of business on the Mainland, or in foreign countries, and most of these Companies own no property whatever in this Territory.

It is the opinion of your Committee that Insurance Companies should be required if they own no property in the Territory, to deposit Bonds with the Treasurer, as a security for the settlement of claims under the provisions of this Act. The amount of \$25,000 deposit in Bonds, called for in the Bill, is deemed by most of the Insurance Companies as oppressive.

We recommend that the amount of Bonds to be deposited with the Treasurer be reduced to \$12,000, and that with this amendment the Bill pass.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator C. Brown moved that the report of the Committee be adopted. Seconded by Senator Achi and carried.

Senator C. Brown moved that the bill be read third time on Thursday, April 2nd. Seconded by Senator Isenberg and carried.

Senator Baldwin for the same committee reported on resolution asking that moneys paid by the Kohala Club Stables for license fees be refunded, as follows:

Honolulu, T. H., March 27, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Resolution No. 23, asking "that the sum of \$54 may be inserted in the appropriation for Unpaid Bills, for money collected illegally from the Kohala Club Stables," begs leave to report that we have had the same under consideration.

This money is for License Fees collected of the Kohala Club Stables. They claim that these fees should not have been collected of them, as Section 97, Session Laws of 1896, provides that "The annual fee for a license to carry freight or baggage for hire or compensation in the District of Honolulu, Wailuku and Hilo, on any dray, cart, wagon, or other vehicle other than a hand-cart, shall be two and a half dollars for each vehicle so used," and that the law does not apply to other Districts.

Section 98, however, has not been repealed, and provides that "The annual fee for a license to carry passengers for hire in any vehicle, shall be one dollar for each person for which such vehicle has a carrying capacity."

As this is a legal question, your Committee obtained the opinion of the Attorney General in regard to the matter, which we give herewith:

"Honolulu, March 26, 1903.

"HON. H. P. BALDWIN,  
"Senate, Territory of Hawaii.

"Dear Sir:—In reply to your enquiry of recent date, asking whether license tax collected in North Kohala, under Section 98, Session Laws of 1896, were legally collected, I have to say that in my opinion Section 98 is not to be construed in connection with Section 97, of said Session Laws of 1896, but the collection of annual fees for a license to carry passengers for hire in any vehicle, as set forth in Section 98.

applies to all parts of the Territory. Therefore the fees above mentioned in Senate Resolution No. 23 were legally collected.

"Very respectfully yours,

"(Sgd.) LORRIN ANDREWS,  
"Attorney General."

We recommend that the Resolution should not be adopted.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator C. Brown moved that the report of the Committee be adopted. Seconded by Senator Paris and carried.

Senator Dickey for the Committee appointed to interview the Speaker of the House in regard to the committee's visit to the Leper Settlement, reported that the House had appointed a committee of nine who would go to the Settlement tomorrow evening on the "Kinau."

Senator Kalauokalani moved that the report of the committee be adopted, and the committee discharged. Seconded by Senator Isenberg and carried.

Senator Isenberg moved that Senator Kalauokalani be appointed a committee of one to interview the Speaker of the House with a view of inducing the House committee to postpone their visit until the 11th of April. Seconded by Senator Baldwin and carried.

Senator Woods gave notice of intention to introduce a bill entitled "An Act to provide for the purchase and acquisition by the Territory of Hawaii of the Pahoa Water Works plant situated at Pahoa and Kaimuki, Island of Oahu, Territory of Hawaii, and making an appropriation therefor."

Under suspension of the rules Senator Woods introduced a bill entitled "An Act to provide for the Purchase and Acquisition by the Territory of Hawaii of the Pahoa Water Works plant situated at Pahoa and Kaimuki, Island of Oahu, Territory of Hawaii, and making an appropriation therefor."

Senator Woods moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator C. Brown and carried.

Senator C. Brown introduced a bill entitled "An Act relating to the Construction and Operation of Railways, and amending an Act entitled 'An Act to promote the construction of Railways,' being Chapter 29 of the Laws of 1878."

Senator C. Brown moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Isenberg and carried.

Senator Kalauokalani reported for the Committee appointed to interview the Speaker of the House that the House Committee had decided to visit the Settlement tomorrow night.

Senator Isenberg moved that the Chair appoint a committee of five to visit the Leper Settlement. Seconded by Senator McCandless and carried.

Senator McCandless gave notice of intention to introduce a bill entitled "An Act concerning Corporations."

Under suspension of the rules Senator McCandless introduced a bill entitled "An Act concerning Corporations."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for printing. Seconded by Senator J. T. Brown and carried.

The President here called the Vice-President to the Chair.

Senator Crabbe introduced a bill entitled "An Act relating to the Exemption of Taxes of the Pacific Heights Electric Railway Company, Limited."

Senator Crabbe moved that the bill pass first reading and be referred to the Printing Committee for printing and translation. Seconded by Senator Dickey and carried.

The Chair named the following committee to visit the Settlement at Molokai: Senators Dickey, Achi, McCandless, Kalauokalani and Kaiue.

Senator Dickey asked to be excused from serving on the Committee.

Senator Wilcox was appointed on the committee in place of Senator Dickey.

Senator Wilcox asked to be excused from serving on the committee.

Senator C. Brown for the Printing Committee reported Senate Bills 134, 143, 144, 145 and 146 printed and ready for distribution.

Senator Kaiue offered a resolution asking for various appropriations for improvements on the Island of Maui, as follows:

#### RESOLUTION.

Be It Resolved, by the Senate of the Legislature of the Territory of Hawaii:

That the Committee to whom shall be referred the drafting of the Loan or Appropriation Bill be and hereby are instructed to insert therein the following items:

Completion of the Kula-Homestead Road to Makawao, with three gulches to cross.....\$	6,000 00
New Road from Kaheka Camp of the Paia Plantation on the Kahului Road, through toward Kihei to meet the road from Kula and Makawao, not including right-of-way . . . . .	5,000 00
New trail to the summit of Haleakala . . . . .	3,000 00
Completion of road Keokea, Kula to Kihei.....	10,000 00
Fencing Kula Homestead Road.....	800 00
Fencing Kaheka-Kihei road.....	1,200 00
Bridges across Maliko Gulch at the Kaluanui crossing . . . . .	1,800 00
Small bridge in Awalua Gulch, Kaupakalua . . . . .	800 00
Repairs Kula Homestead Road, Koheo to Omaopio.	3,000 00
Repair Paia to Makawao Road, with culverts.....	3,000 00
Repairs Paia to Maliko road, sea road.....	1,000 00
Repairs Paholei to Wailuku boundary.....	500 00
Paliuli, Paia, to Maliko Gulch, repairs.....	1,000 00
Hamakuapoko village, macadamizing one mile..	1,000 00
Haiku to Huelo, regrading.....	3,000 00
Haiku to Makawao, repairs.....	800 00
Makawao to Ulupalakua, repairs.....	1,500 00
Makawao to Ulumalu, repairs.....	1,000 00
Huelo to Makaiwa Gulch, repairs.....	1,500 00
Kula Homestead, connecting roads, repairs.....	1,500 00
Pulehu, Kula, to Wailuku Boundary, repairs.....	1,000 00
Kihei roads which have never been worked.....	2,000 00
Roads and Bridges, General repairs, Makawao District . . . . .	3,000 00
Road Implements:	
1 Three and a half ton road roller.....	
3 Dump Carts.....	
4 Pair Dump Cart Harness.....	
Rock Crusher, expenses operating the same.....	1,200 00
New Survey Road Haiku to Huelo, or through to Kailua . . . . .	1,500 00
House for carts, road implements and tools.....	500 00
Tourist's Bungalow, Haleakala, near summit.....	2,000 00

S. E. KAIUE,  
Senator 2nd District.

Honolulu, March 27th, 1903.

Senator McCandless moved that the resolution be laid on the table to be considered with the Appropriation Bill. Seconded by Senator J. T. Brown and carried.

The Senate proceeded with the order of the day.

Third Reading of Senate Bill No. 117, entitled "An Act to amend and repeal certain miscellaneous laws relating to Corporations."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kalauokalani, Kaohi, McCandless, Wilcox and Woods—11.

Noes: None.

Not Present: Senators Baldwin, Kaiue, Nakapaahu and Paris—4.

Third Reading of Senate Bill No. 126, entitled "An Act relating to amendments of process, pleadings and proceedings, amending Section 1145 of the Civil Code."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Dickey, Isenberg, Kalauokalani, Kaohi, McCandless, Wilcox and Woods—10.

Noes: None.

Not Present: Senators Baldwin, Crabbe, Kaiue, Nakapaahu and Paris—5.

Second Reading of Senate Bill No. 127, entitled "An Act relating to Frauds in the sale of Butter or substances having the semblance of Butter, amending Section 2 of Chapter LXXXIV. of the Laws of 1892."

Senator Achi moved that the report of the Committee be adopted. Seconded by Senator McCandless and carried.

Senator Dickey moved that the bill be read third time on Monday, the 31st. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 90, entitled "An Act to encourage the Kona-Kau Railway Company, Limited."

At 12 o'clock Senator McCandless moved to take a recess until 2 o'clock. Seconded by Senator Achi and carried.

#### AFTERNOON SESSION.

Senator Dickey moved that the representatives of the press, one from each newspaper, be invited to go to Molokai with the Committee. Seconded by Senator McCandless and carried.

The Senate proceeded with the consideration of Senate Bill No. 90.

Senator C. Brown moved to amend Section 1 by inserting after the word "Limited" the words "actually used in its operation and working." Seconded by Senator Achi and carried.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Achi and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Woods and carried.

Upon motion of Senator C. Brown, seconded by Senator Woods, the Senate resolved itself into a Committee of the Whole for the consideration of Senate Bills Nos. 21, 38 and 112.

Senator C. Brown in the Chair.

Upon arising, Senator C. Brown as Chairman of the Committee of the Whole, reported that the committee had finished consideration of the bills and recommend that Senate Bills 38 and 112 be laid on the table and that Senate Bill No. 21 pass with the following amendments:

Section 2. As amended by the Committee.

Section 3. New sub-division to be numbered 5 inserted as follows: "A petition signed by the adjoining property owners praying that the license shall issue, addressed to the persons empowered to issue such license; provided that this provision shall not apply to the renewal of any license now in force."

Section 6. Insert "four" in place of "three" in line 1 and strike out the sentence "No licenses other than these shall be authorized or granted."

Section 7. The word "and" struck out and the words "and Hotel Liquor License" added at the end of the Section.

Section 9. The word "gallon" struck out of line 3 and the word "bottle" inserted.

Section 11. New Section inserted as follows: "Section 11. A hotel license may be issued to any hotel having rooms for twenty bona fide guests, and shall authorize the licensee to sell intoxicating liquors by the glass or bottle to such bona fide guests, but such licensee shall not in any case establish a bar on his premises."

Section 12. Re-numbered Section 13, and amended so as to read as follows: "No liquor license of any class shall be granted to any person or persons who have not resided at least five years in the Territory of Hawaii. The restrictions in this Section contained shall not be held to apply to any person, co-partnership or corporation holding a liquor license under the laws of the Territory of Hawaii on the first day of January, A. D. 1903; provided, however, such person, co-partnership or corporation shall have been continuously engaged in the liquor business under a license from said first day of January, A. D. 1903, until the time of making application for a new license."

Section 16. The words "five hundred dollars" struck out and the words "seven hundred and fifty dollars" inserted.

Insert a new Section to be numbered Section 17, as follows:  
 "Section 17. Before any Hotel Liquor License shall be issued under the provisions hereof, the applicant shall pay to the officer issuing the same an annual fee of five hundred dollars."

Section 24. Insert the word "three" in place of the word "one" before the word "hundred."

Section 26. Insert at the beginning of the Section the words "In case of the death of the licensee."

Section 27. Strike out the words "five hundred dollars" and insert the words "one thousand dollars," and strike out the word "two" before the word "years" at the end of the Section and insert the word "one."

Section 28. Insert the words "women or" before the word "minors."

Section 31. Stricken out.

Section 32. Insert the words "Hotels having a Hotel Liquor License" in place of the words "the house or premises; nor to the sale of liquors at bona fide places of public resort frequented by tourists or travellers for bathing, recreation or out-door amusement."

Section 33. Insert the words "out-houses" in place of the word "appurtenances" and strike out the words "any sum" in line 4.

Section 37. Insert the word "in" in place of the word "upon," and insert the words "upon any" in line 2.

Section 38. Insert the word "who" between the words "premises" and "shall" in line 3.

Section 43. Insert the word "and" after the word "tracks;" strike out the words "and other out-door places of amusement or celebration" in lines 5 and 6; and strike out the words "or amusements or celebration" in line 9.

Section 45. Strike out the words "and Chapter 60, Title V. of an Act of the Legislature of the Territory of Hawaii, entitled 'An Act concerning Counties, and the Organization and Government thereof; and the Management and Control of Public Works and Institutions,' approved....., A. D. 1903."

By re-numbering the Sections of the bill in conformity to the amendments thereto.

Senator C. Brown moved that the report of the Committee of the Whole be adopted, and that the bill be read third time on Wednesday, April 1st. Seconded by Senator Achi and carried.



At 4:25 o'clock Senator J. T. Brown moved to adjourn.  
Seconded by Senator Kaiue and carried.

*William S. Davidge*

Clerk of the Senate.

Approved by the Senate:

*Clarence L. Crabbe*

President of the Senate.

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### THIRTY-FOURTH DAY.

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Saturday, March 28th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Baldwin and Nakapaahu (reported sick), absent.

The Journal of the Thirty-third Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kaiue, approved as read.

A communication from the Clerk of the House of Representatives transmitting House Bills Nos. 2, 6, 26, 78, 81 and 99 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., March 27, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith transmit the following House Bills which have passed their respective Third Readings in this House on March 27th, A. D. 1903, to wit:

House Bill No. 2, entitled "An Act to prohibit the Cremating of Deceased Persons without the Consent of the Family of the Deceased."

House Bill No. 6, entitled "An Act to grant Certain Powers to Representatives of Estates of Deceased Persons, to Provide for a Public Administrator, and for Distribution on Final Settlement."

House Bill No. 26, entitled "An Act to amend Section 225, Chapter 26, of the Penal Laws, Territory of Hawaii, Relating to Lights."

House Bill No. 78, entitled "An Act to amend Section 8 of Act 9 of the Session Laws of 1901, Relating to the Exemption of the Wages of Laborers and Persons working for Wages from Attachment, Execution, Distress and Forced Sale."

House Bill No. 81, entitled "An Act to amend Chapter LVII. of the Laws of 1892, entitled 'An Act to Reorganize the Judiciary Department,' by amending Sections 2, 5, 6, 15, 22, 26, 30 (as amended by Act 19 of the Laws of 1901), 31 (as amended by Act 6 of the Special Session of 1895), 33 (as amended by Act 2 of the Laws of 1898), 36, 37, 38 (as amended by Act 56 of the Laws of 1898), 49, 53, 56 (as amended by Act 12 of the Laws of 1896), 59, 71, 74 (as amended by Section 2 of Act 40 of the Laws of 1898), 75 and 80, and Repealing Sections 25, 28, 34 and 35 thereof," and

House Bill No. 99, entitled "An Act to Designate Two Pay-Days in a month for the Government Employees and Officials of the Territory of Hawaii."

Respectfully submitted,

SOLOMON MEHEULA,

Clerk.

Senator Achi moved that the bills be read by title. Seconded by Senator Kalanokalani and lost.

A communication from the Clerk of the House of Representatives notifying the Senate of the adoption of the Senate Joint Resolution relating to the destruction of Silver and Gold Certificates was read by the clerk as follows:

House of Representatives,  
Honolulu, T. H., March 28, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith return Senate Joint Resolution relating to the destruction of cancelled Silver and Gold Certificates, having been duly adopted by this House on March 27, A. D. 1903.

Very respectfully,

SOLOMON MEHEULA,

Clerk.

A communication from the House of Representatives naming the committee appointed as a Conference Committee on House Bill No. 70 was read by the clerk as follows:

House of Representatives,  
Honolulu, T. H., March 28, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor of informing your Honorable Body that the following Representatives have been appointed as members on behalf of this House on the Conference Committee to consider House Bill No. 70 relating to Emergency Appropriations, namely:

Hon. W. W. Harris, to represent Oahu and Kauai;  
Hon. S. E. Kalama, to represent Maui, Molokai and Lanai; and  
Hon. W. N. Purdy, to represent the Island of Hawaii.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

A communication from the House of Representatives returning Senate Bills Nos. 40, 41 and 42 was read by the clerk, as follows:

House of Representatives,  
Honolulu, T. H., March 28, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith the following Senate Bills, further consideration on them by this House having been arrested by the passage of House Bills Nos. 42, 43 and 44 by your Honorable Body on the 25th instant, which are respectively identical with the herewith returned Senate Bills, namely:

Senate Bill No. 40, entitled "An Act Relating to Larceny, amending Section 15 of Chapter XVI. of the Civil Code as amended by Act 25 of the Laws of 1896 (Penal Laws, Sec. 132)."

Senate Bill No. 41, entitled "An Act Relating to Assault and Battery, amending Section 7 of Chapter IX. of the Penal Code as amended by Act 34 of the Laws of 1896, and adding a new Section to said Chapter IX."

Senate Bill No. 42, entitled "An Act Relating to the Receiving of Stolen Goods, amending Section 5 of Chapter XX. of the Penal Code (Penal Laws, Section 174)."

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

Senator Dickey moved that the bills be returned to the House, the same having passed third reading in the Senate, being the property of the House. Seconded by Senator C. Brown and carried.

A communication from the House of Representatives notifying the Senate of the passage of Senate Bills Nos. 16, 59 and 64 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., March 28, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor of returning the following Senate Bills which have passed their respective third readings in this House on the 27th day of March, A. D. 1903, to wit:

Senate Bill No. 16, entitled "An Act to License the Brewing and Sale of Malt Liquors."

Senate Bill No. 59, entitled "An Act Relating to Contempts, amending Section 18 of the Penal Code, adding a new Section to said Chapter XLII. of the Laws of 1888."

Senate Bill No. 64, entitled "An Act to Abolish Estates in Joint Tenancy and By Entirety except in Certain Cases."

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

A communication from Wilder's Steamship Company in relation to the Committee's visit to the Leper Settlement was read by the Clerk, as follows:

Honolulu, T. H., March 28, 1903.

HON. C. L. CRABBE,  
President of the Senate.

HON. F. W. BECKLEY,  
Speaker, House of Representatives,  
Territory of Hawaii.

Gentlemen:—The "Lehua," arriving this morning, reports the weather very bad off Kalaupapa, and we doubt if it will be possible to make a landing tomorrow. Under these circumstances, we will defer the docking of the "Kinau" so that you can sail Saturday, April 4th.

Will you please state what your wishes are in this matter as early after the receipt of this communication as possible.

Very respectfully,

WILDER'S STEAMSHIP CO.  
C. L. WIGHT, President.

Senator C. Brown moved that the communication be acknowledged with thanks, and that the Wilder's Steamship Company be notified that the Committee, so far as the Senate is concerned, will leave on the 4th day of April. Seconded by Senator Kalaupapa and carried.

Senator C. Brown for the Printing Committee reported Senate Bills 148, 149, 147, 152, 151, 142 and 140 printed and ready for distribution.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on Senate Bill No. 35, as follows:

Honolulu, T. H., March 27, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Standing Committee on Public Lands, Internal Improvements, Agriculture, etc., to which was referred Senate Bill No. 35, begs leave to report upon the same.

This is an Act defining the Sanitary Districts of Honolulu and establishing rules and regulations for the plumbing and drainage of buildings, and the construction of House sewers in said District. The Act is a long one, giving a great amount of detail. It has been carefully drawn by capable men, and besides having the strongest endorsement of the Health authorities, meets with the approval of the plumbers, and has been reviewed and is urged for enactment by the Builders'

and Traders' Exchange, a representative organization of the city. The limits of the Sanitary District are unchanged. The Act includes a compilation of rules and regulations that have from time to time been put forth by the Health authorities, it being proposed to have a statute instead of simply regulations about which there has been question of enforcement by the courts. It is represented to your Committee that the Act fully protects all classes of householders in all their interests, besides insuring sanitary and proper sewer connections, and the very best class of work for each. We believe the Act to be an excellent one for the protection of the public health.

Your committee recommends the following amendments:

Add to Section 2: "Said examining Board shall consist of three members, one of whom shall be a member or attache of the Board of Health, one a representative plumber and the third a citizen not connected with either the Board of Health or the plumbing business, and the members of the said Board shall serve without pay."

Section 3, line 3, strike out all following the words and figures "21 years." Strike out all of line 4.

Section 11, line 3, insert after the words "Where such sewer is accessible," the words "free of charge for the use of the sewer system."

Add to Section 12: "In any instance before issuing a permit for work to be done, the said Inspector of Sewers and Plumbing shall make a careful advance inspection of the site, if the work is to be in a new building and of the building if the work is to be done in a building in course of construction, or already erected."

Strike out all of Section 30 and insert in lieu thereof the following:

#### GREASE TRAPS.

Section 30. Pantry and Kitchen sinks shall be provided with grease traps, the sizes of which shall, before installation, have the approval of the Inspector of Plumbing and Sewers. Restaurants, eating houses and hotels shall have properly constructed grease traps, the sizes of which shall, before installation, be approved by the Inspector of Plumbing and Sewers. At no place shall any lead grease trap be placed.

Section 40, line 2; after the word "shall" insert the word "not."

Section 41, line 1; strike out the word "use" and insert in lieu thereof the word "installation."

Section 42, line 2; insert after the words "must be" the word "properly" and strike out the words "from a tank of not less than." Line 3, strike out "4 gallons capacity for each closet flushed."

Section 44, line 1; strike out the words "an automatic flush tank" and insert in lieu thereof the word "equipment."

Section 45, line 1; strike out "2 feet" and insert in lieu thereof the words "six inches."

Section 51, line 2; after the word "carriages" insert the words "in livery stables."

Section 58. Strike out the last 4 words in line 2 and all of line 3.

Section 62, add; "the provisions of this Act shall not apply to ice boxes or refrigerators in use in private dwellings."

Strike out all of Section 67 and insert in lieu thereof the following:

#### CESSPOOLS.

Section 66. No privy vault or cesspool, unless the same shall meet with sanitary requirements, shall hereafter be constructed within the sanitary district where a sewer is accessible. The term accessible shall be construed and accepted to mean that said sewer is within forty feet of the front or side line of the property in question.

Section 77. Add to said Section the following: "but no entry upon private premises shall be made by said officers until after proper notice has been given by them to the occupant or occupants of the premises."

Section 78, line 2; strike out the word "passage."

Your Committee recommends that as so amended the bill do pass.

Respectfully submitted,

L. L. McCANDLESS,

J. D. PARIS,

Committee.

Doubtful:

J. B. KAOHI.

Senator Dickey moved that the report of the Committee be laid on the table to be considered with the bill. Seconded by Senator Achi and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 129, as follows:

Honolulu, T. H. March 27, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred Senate Bill 129, in regard to Distillation of Spirits, have had the same under consideration, and beg leave to report that the amendments made by the Senate in Senate Bill No. 21 cover the ground proposed by this Bill.

The committee therefore recommend that Bill No. 129 be laid upon the table.

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Paris moved that the report of the Committee be adopted. Seconded by Senator Achi, and carried.

Senator Kaiue gave notice of intention to introduce a bill entitled "An Act to appropriate money for the purpose of supplying and placing Fire Hydrants in the streets of Wailuku, Maui, and for purchasing Hose, Hose Carts and other equipments for Volunteer Fire Department Company in the said town of Wailuku."

Under suspension of the rules Senator Kaiue introduced a bill entitled "An Act to appropriate money for the purpose of supplying and placing Fire Hydrants in the streets of Wailuku, Maui, and for purchasing Hose, Hose Carts and other equipments for Volunteer Fire Company in the said town of Wailuku."

Senator Achi moved that the bill pass first reading. Seconded by Senator Kaiue and carried.

The President here called the Vice-President to the Chair.

Senator Crabbe gave notice of intention to introduce the following bills:

"An Act for the Protection of Life and Property against Explosives, and to amend Chapter 89 of the Penal Code of 1869, Sections 1, 2, 3, 3a, 4, 5, 6, 7, 8 and 9 thereof, and to add new Sections thereto to be known as Sections 10, 11, 12 and 13."

"An Act to Provide for the Safe Guarding of Electrical Installation."

Under suspension of the rules Senator Crabbe introduced a bill entitled "An Act for the Protection of Life and Property against Explosives, and to amend Chapter 89 of the Penal Code of 1869, Sections 1, 2, 3, 3a, 4, 5, 6, 7, 8 and 9 thereof, and to add new Sections to be known as Sections 10, 11, 12 and 13."

Senator Crabbe moved that the bill pass first reading and be referred to the Printing Committee for printing and translation. Seconded by Senator Isenberg and carried.

Senator Crabbe introduced a bill entitled "An Act to Provide for the Safe Guarding of Electrical Installation."



Senator Crabbe moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

Senator Isenberg gave notice of intention to introduce the following bills:

"An Act to amend Section 3 of Act 21 of the Acts of the Provisional Government."

"An Act in regard to Gambling."

Senator Isenberg introduced the following resolution relating to a committee being appointed to investigate the right of the Superintendent of Public Works to collect Sewerage Rates:

#### RESOLUTION.

Be it Resolved, that the Committee of Public Lands and Internal Improvements find out how many people have paid sewer rates, and also under what law the Superintendent of Public Works collected such rates, and that the committee report its findings to the Senate.

D. PAUL R. ISENBERG,

Senator 3rd District.

Senator Isenberg moved that the resolution be adopted. Seconded by Senator Kalanokalani and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 45, as follows:

Honolulu, March 27th, 1903.

HON. CLARENCE L. CRABBE.

President of the Senate.

Sir:—Your Committee to which Senate Bill No. 45 was re-committed beg leave to report:

Objections were presented to the Committee to that part of Section 1 which allowed the Company to extend their road across the tracks and yard of the Oahu Land and R. R. Co., on account:

- 1st. Of interfering with the work of the R. R. Co.
- 2nd. Of the danger to the public caused by an electric road crossing a number of railroad tracks at frequent intervals when a large amount of traffic is carried on.
- 3rd. Of the fact that the O. R. & L. Co. has been granted privileges by former Legislatures which are of the nature of vested rights.

These points are met by the Attorney for the Winston R. R., as follows:

1. That the business of the O. R. & L. Co. will not be seriously interfered with, and that the Company will not in any case enter the yard of the O. R. & L. Co. as the new road cannot be put through until Queen Street is extended, and then the street will be public property and not a part of the yard.

2. That the danger of the electric line crossing the tracks of the O. R. & L. Co. is no greater than it is in thousands of railroads in the U. S., where similar crossings are made.

3. That if Queen Street is extended the O. R. & L. Co. will have no vested rights in the public highway.

The Winston R. R. further urged that it would be greatly inconvenienced if it was not allowed to extend its tracks on the extension of Queen Street, as the plan is to establish its Power House beyond the Kamehameha School on the proposed extension of Queen Street, and the River Street route would necessitate a long detour while the Queen Street route would be direct.

Your Committee consider that it would be inadvisable, not only on account of the inconvenience caused to the O. R. & L. Co., and the danger to the public caused by the proposed line crossing the tracks of the O. R. & L. Co., where switching is constantly being carried on, but also as it is advisable to have one main street in each Section free from railroads, for the purpose of driveways. We have the Beach Road on the Diamond Head side of Nuuanu, and if Queen Street is extended it should be kept clear of railroads and be used only as a driveway.

Your Committee recommends that Section 1, line 6, by striking out all after the word "Honolulu," and all of line 7 and line 8 to and including the word "street," and inserting "at the corner of River and Queen Street and thence along River Street, Vineyard Street and along the extension of Vineyard Street," and with that amendment the bill pass as previously amended.

Respectfully submitted,

C. H. DICKEY, Chairman.

D. PAUL R. ISENBERG,

S. E. KAIUE.

Senator Isenberg moved that the report of the Committee be laid on the table to be considered with the bill. Seconded by Senator C. Brown and carried.

Third Reading of Senate Bill No. 104, entitled "An Act Relating to Attachments and Garnishments."

The bill was lost on the following showing of ayes and noes:

Ayes: Senators C. Brown, McCandless, Paris and Wilcox

Noes: Senators J. T. Brown, Dickey, Kaiue, Kalaauokalani, Kaohi and Woods—6.

Not Present: Senators Achi, Baldwin, Crabbe, Isenberg and Nakapaahu—5.

At 12 o'clock Senator J. T. Brown moved to adjourn. Seconded by Senator Dickey and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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THIRTY-FIFTH DAY.

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Monday, March 30th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain the roll was called showing Senators Baldwin, J. T. Brown, Kalaauokalani, Kaohi and Nakapaahu absent.

The Journal of the Thirty-fourth Day was read and, upon motion of Senator Dickey, seconded by Senator Kaiue, approved as read.

Senator Woods moved to reconsider Senate Bill No. 104. Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the bill be taken up with the order of the day. Seconded by Senator Dickey and carried.

A petition from the United Chinese Union protesting against the passage of House Bill No. 28 was read by the Clerk.

Senator Dickey moved that the petition be laid on the table to be considered with the bill. Seconded by Senator C. Brown and carried.

Senator Dickey presented a petition from firms and business men of Honolulu praying that Senate Bill No. 21 be amended.

Senator Dickey moved that the petition be laid on the table to be considered with the bill. Seconded by Senator C. Brown and carried.

A petition from the Chinese Merchants Association protesting against the passage of the Hackmen's Bill was read by the Clerk.

Senator Achi moved that the petition be laid on the table to be considered with the bill. Seconded by Senator McCandless and carried.

A petition from Chinese Merchants and licensed Chinese Hack-Drivers protesting against the passage of the Hackmen's Bill was read by the Clerk.

Senator Achi moved that the petition be laid on the table to be considered with the bill. Seconded by Senator McCandless and carried.

Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 121, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Committee, to whom was referred Senate Bill 121, report that the object of the Bill is to provide for the publication of the Reports of the United States District Judge of this District, and as we are informed that this is done in all Territories we recommend the passage of the Act.

Dated, Honolulu, March 30th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator C. Brown moved that the report be laid on the table to be considered with the bill. Seconded by Senator Isenberg and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 118, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir: The Judiciary Committee, to whom was referred Senate Bill No. 118, relating to partnerships, beg leave to report that they have had the same under consideration.

The amendment to Section 4 of Chapter 70 of the Session Laws of 1886, Civil Laws, Section 2087, simply leaves out of the Section the words "of the Republic."

Section 2 of Chapter 28 of the Session Laws of 1880, Penal Laws, Section 1663, is repealed by this Act. It provided for the filing of Certificates of Co-partnerships two months after the passage of the Act, and has become obsolete.

We recommend the Bill pass.

Dated, Honolulu, March 30th, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator C. Brown moved that the report of the Committee be laid on the table to be considered with the bill. Seconded by Senator Isenberg and carried.

Senator Isenberg introduced a bill entitled "An Act to amend Section 3 of Act 21 of the Acts of the Provisional Government, Relating to and Prohibiting Gambling and Gaming."

Senator Paris moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator J. T. Brown and carried.

Senator Isenberg introduced a bill entitled "An Act to enable the Police to Suppress Gambling and Gaming."

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Paris and carried.

Third Reading of Senate Bill No. 84, entitled "An Act to Provide for the Incorporation and Government of Cities within the Territory of Hawaii."

Senator Achi moved that the bill be made the order of the day for Tuesday evening, the 31st. Seconded by Senator Isenberg and carried.

Third Reading of Senate Bill No. 90, entitled "An Act to encourage the Kona-Kau Railroad Company, Limited."

Senator Dickey moved to amend Section 1, line 2, by striking out the words "all the property both real and personal property" and insert the words "the rolling stock." Seconded by Senator Isenberg and lost.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Isenberg, Kaiue, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: Senator Dickey—1.

Not Present: Senators Baldwin and Kalauokalni—2.

Second Reading of Senate Bill No. 46, entitled "An Act to amend Section 14 of Chapter 23 of the Session Laws of 1884, also being Section 2070 of the Civil Laws of the Territory of Hawaii, as set forth in a compilation made by Sidney M. Ballou."

Senator McCandless moved that the report of the Committee be adopted. Seconded by Senator Paris.

Senator Achi moved as an amendment that the bill be deferred until Wednesday, April 1st. Seconded by Senator Dickey and carried.

Third Reading of Senate Bill No. 104, entitled "An Act Relating to Attachments and Garnishments."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kaohi, McCandless, Nakapaahu, Paris and Woods—12.

Noes: None.

Not Present: Senators Baldwin, Kalauokalani and Wilcox—3.

Second Reading of Senate Bill No. 110, entitled "An Act to amend Act 51 of the Session Laws of 1896, entitled 'An Act Relating to Internal Taxes and to repeal Chapter 61 of the Session Laws of 1892 relative thereto,' approved June 3rd, 1896, and to repeal Section 18 thereof."

Senator C. Brown moved that the majority report of the committee be adopted. Seconded by Senator Woods.

Senator Dickey moved that the minority report of the committee be adopted. Seconded by Senator Achi.

The Chair then put the motion to adopt the majority report, which was lost.

The motion to adopt the minority report was then put and carried.

Senator Dickey moved that the bill pass second reading as amended. Seconded by Senator Achi and carried.

Senator C. Brown moved that the bill be read third time on April 3rd. Seconded by Senator Woods and carried:

Third Reading of Senate Bill No. 94A, entitled "An Act to amend Section 1465 of the Civil Code relating to Wills."

The bill passed third reading on the following showing of ayes and noes:

**Ayes:** Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

**Noes:** None.

**Not Present:** Senators Baldwin and Kalauokalani—2.

**Third Reading of Senate Bill No. 94,** entitled "An Act to amend Section 6 of an Act entitled 'An Act to regulate Names,' passed on the 24th day of August, A. D., 1880, as amended by Chapter XXX. of the Session Laws of 1872; and to repeal Section 5 of said Act."

The bill passed third reading on the following showing of ayes and noes:

**Ayes:** Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

**Noes:** None.

**Not Present:** Senators Baldwin and Kalauokalani—2.

**Third Reading of Senate Bill No. 105,** entitled "An Act Providing for the Redemption of Real Property sold under Foreclosure of Mortgage."

Senator McCandless moved that the bill be deferred until tomorrow. Seconded by Senator Dickey and carried.

**Second Reading of Senate Bill No. 131,** entitled "An Act Authorizing the Deposit of Public Money in a Designated Depository and Providing for the Safe-keeping and payment thereof, and to Provide Security therefor."

Senator McCandless moved to defer action until Wednesday, April 1st, to be considered with Senate Bill No. 7. Seconded by Senator Paris and carried.

**Second Reading of Senate Bill No. 133,** entitled "An Act to Provide for the Appointment of a Commission to Inquire into and pass upon and determine the Claims and Demands of Certain Persons for Damages Resulting from Alleged Illegal Imprisonment in the years 1895 and 1896."

Senator C. Brown moved that the bill be read Section by Section. Seconded by Senator Dickey and carried.

**Section 1.** Senator C. Brown moved to strike out the word "citizens" in line 1 and insert the word "residents."

Senator Dickey moved as an amendment in line 2 by striking out the words "Territory of Hawaii" and inserting the words "United States." Senator C. Brown accepted the amendment, which carried.

Senator Dickey moved that the Section pass as amended. Seconded by Senator Achi and carried.

Section 2. Senator Dickey moved to insert "John Mitchell, \$1,000.00." Seconded by Senator McCandless.

Senator McCandless moved as an amendment to the amendment to insert "John Mitchell, \$1,000.00 or any other American citizen that has any political claim." Senator Dickey accepted the amendment.

After considerable discussion Senator McCandless withdrew the amendment.

Senator Achi moved that the Section pass. Seconded by Senator McCandless and carried.

Section 3. Senator C. Brown moved to amend by adding at the end of the Section—"The Territory may appear before the Commission and present evidence and defend against said claims." Seconded by Senator Dickey and carried.

Senator C. Brown moved that the Section pass as amended. Seconded by Senator Achi and carried.

Section 4. Senator Dickey moved that the section pass as read. Seconded by Senator C. Brown and carried.

Senator Achi moved to insert in line 4 of Section 5 the words "and each claimant." Seconded by Senator C. Brown and carried.

Senator Dickey moved that the Section pass as amended. Seconded by Senator C. Brown and carried.

Section 6. Passed as read.

Section 7. Passed as read.

Section 8. Passed as read.

Section 9. Passed as read.

Section 10. Passed as read.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 134, entitled "An Act to Provide for the Care and Custody of One Hundred and Fifty-five Thousand, Five Hundred and Forty-six Dollars and Seventy Cents (\$155,546.70), being the money now in the possession of the Treasurer of the Territory and designated as the 'Chinese Fund.'"

Senator Achi moved to amend by adding the words "or Trust" after the word "banking" in line 2 of Section 7. Seconded by Senator Woods and carried.

Senator McCandless moved that the bill be laid on the table. Seconded by Senator Paris and lost.



Senator Achi moved to add at the end of Section 5 the words "The said Trustee shall make quarterly statements to the Governor." Seconded by Senator Dickey and carried.

Senator Achi moved that the bill pass second reading as amended. Seconded by Senator C. Brown and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator C. Brown and carried.

Third Reading of Senate Bill No. 128, entitled "An Act Relating to Liens of Judgments and Decrees, and repealing Section 24 of Chapter LVII. of the Laws of 1892."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Kaine, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators Baldwin, Isenberg and Kalauokalani—3.

At 11:55 o'clock Senator Woods moved to take a recess until 2 o'clock. Seconded by Senator McCandless and carried.

### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

A communication from the Secretary of the Territory announcing that the Governor had signed Acts 5, 6 and 7 was read by the Clerk, as follows:

Honolulu, H. I., March 30th, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on the 30th inst.:

"Act 5. An Act Relating to the Giving of Notice by Publication, Amending and Repealing Certain Former Laws upon that Subject."

"Act 6. An Act to Repeal Certain Laws Relating to the Desertion of Married Persons from One Another."

"Act 7. An Act to Amend Sections 5 and 6 of Chapter XLI. of the Laws of 1870 (Penal Laws, Sections 1398, 1399) Relating to Industrial and Reformatory Schools."

Very respectfully.

G. R. CARTER,  
Secretary of the Territory.

Second Reading of Senate Bill No. 143, entitled "An Act to amend certain Laws relating to Nuisances." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 144, entitled "An Act to amend certain Laws by striking out the words "Fire Marshal" and inserting in lieu thereof the words "Chief Engineer of the Fire Department." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 145, entitled "An Act to amend certain Laws by striking out the words "Minister of the Interior" and inserting in lieu thereof the words "Board of Health." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 146, entitled "An Act amending certain laws relating to the Board of Health." Referred to the Judiciary Committee.

First Reading of House Bill No. 28, entitled "An Act relating to Passenger Vehicles and Drivers, and to Regulate and License the same."

Senator Achi moved that the bill pass first reading. Seconded by Senator Dickey and carried.

Third Reading of Senate Bill No. 115, entitled "An Act to Provide for Registering and Confirming Titles to Land."

Senator C. Brown moved that the bill be considered section by section. Seconded by Senator Dickey and carried.

Section 31. The words "of general circulation" inserted in place of the words "satisfactorily shown to the Supreme Court to be newspapers of general circulation and suitable for that purpose and shall have been so declared by the Court," in lines 5, 6 and 7, and the words "in accordance with Chapter 36 of the Session Laws of 1892 (Civil Laws, Section 1153)" in lines 9 and 10 stricken out.

Section 32. The word "the" substituted for the word "this" in line 18 before the word "application."

Section 34. The word "General" stricken out after the word "Surveyor" in line 5.

Section 39. The words "of land" stricken out of line 12.

Section 50. The word "of" stricken out of line 5 after the word "term."

Section 57. The words "in fee" inserted after the word "convey" in line 1.

Section 58. The word "this" substituted for the word "said" in line 1 before the word "Act."

Section 81. The word "fifteen" inserted in line 1 in place of the word "fourteen."

Section 85. The word "certificate" inserted in line 5 after the word "duplicate," and the words "or imprisoned" added after the word "insane" in line 5.

Section 87. The words "if any" inserted in line 2 after the word "commissioners."

Section 92. The words "by bill of exception or otherwise" inserted after the word "decree," and the word "or" inserted in place of the word "and" before the word "administrator" in line 4.

Section 94. The word "under" inserted in place of the word "as" in line 1, and the word "owner" changed to "ownership" in line 2.

Section 98. The word "judge" inserted in place of the word "justice" in line 16.

Section 110. The words "one-twentieth" inserted in place of the words "one-tenth" in line 8.

Section 111. The word "are" inserted in place of the words "shall be" in line 2.

Section 116. The words "under this Act" stricken out of line 2.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, Crabbe, Dickey, Kaiue, McCandless, Paris, Wilcox and Woods—9.

Noes: Senators J. T. Brown, Kaohi and Nakapaahu—3.

Not Present: Senators Baldwin, Isenberg and Kalanokalani—3.

Senator McCandless gave notice of intention to introduce a bill entitled "An Act relating to a certain Fund or sum of money known as the 'Chinese Fund,' and providing for the disposition, use and repayment of the same."

Under suspension of the rules Senator McCandless introduced a bill entitled "An Act relating to a certain fund or sum of money known as the 'Chinese Fund' and providing for the disposition, use and repayment of the same."

Senator C. Brown moved that the bill be rejected. Seconded by Senator Woods.

Senator McCandless moved that the ayes and noes be called on the question. Seconded by Senator Dickey and carried.

The motion to reject the bill was then lost on the following showing of ayes and noes:


Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe and Woods—5.

Noes: Senators Dickey, Kaiue, Kaohi, McCandless, Nakapaahu, Paris and Wilcox—7.

Not Present: Senators Baldwin, Isenberg and Kalauokiani—3.

Senator McCandless moved that the bill pass first reading and be referred to the Printing Committee for printing. Seconded by Senator J. T. Brown and carried.

At 4:30 o'clock Senator J. T. Brown moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Woods and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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### THIRTY-SIXTH DAY.

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Tuesday, March 31st, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

There being no quorum present, the Chair announced a recess until 10:30 o'clock.

The Senate re-convened at 10:30 o'clock.

After prayer by the Chaplain the roll was called showing Senators Isenberg, Kaiue and Nakapaahu absent.

The Journal of the Thirty-fifth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kaohi, approved as read.

A communication from the Secretary of the Territory announcing that the Governor had signed Acts 8 and 9 was read by the Clerk, as follows:

Honolulu, H. I., March 30th, 1903.

SENATOR C. L. CRABBE,

President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on the 30th instant:

"Act 8. An Act Relating to the Jurisdiction of District Magistrates and Circuit Judges, Repealing Certain Laws and Amending Others by Striking out Portions thereof as being Unnecessary or of Doubtful Validity or of Doubtful Consistency with Other Laws."

"Act 9. An Act Relating to Waiver of Trial by Jury in Criminal Cases less than Felony."

Very respectfully,

G. R. CARTER,

Secretary of the Territory.

A communication from the Clerk of the House of Representatives announcing the passage of Senate Bill No. 5 was read by the Clerk, as follows:

Honolulu, T. H., March 31, 1903.

To the Honorable President and

Members of the Senate,

Territory of Hawaii.

I have the honor to return herewith Senate Bill No. 5, entitled "An Act to repeal Act 10, Session Laws of 1901, entitled 'An Act relating to the appointment of Bailiffs for certain Courts in the Territory of Hawaii and defining the duties and powers of such Bailiffs and fixing the amount of their compensation and providing the payment of such payment,'" which has duly passed its third reading in the House of Representatives, Territory of Hawaii, on the 30th day of March, 1901.

Very respectfully,

SOLOMON MEHEULA,

Clerk.

Senator Wilcox for the Committee on Health and Education, to which was referred Senate Bill No. 111, reported as follows:

Honolulu, T. H., March 31, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—

Your Committee on Health and Education, to which was referred Senate Bill No. 111, entitled "An Act to Provide against the Adulteration of Food and Drugs," have had the same under consideration and find that this Act is almost identical with Act 34 of the Session Laws of 1898, with the exception of certain defects which this Act remedies. The material added in this new law makes the law much stronger and clearer by establishing a standard for milk, the absence of which has been embarrassing in the past in enforcing the law, as it then stood.

Your committee would recommend that the bill pass, with the following amendment:

In Section 3, line 23, after the word "animal" insert "or."

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS,  
H. P. BALDWIN.

Senator Achi moved that the report of the Committee be adopted. Seconded by Senator Dickey and carried.

Senator Achi moved that the bill be read third time on Thursday, April 2nd. Seconded by Senator Woods and carried.

Senator McCandless for the Committee on Public Lands, reported on Senate Bill No. 114, as follows:

Honolulu, T. H., March 27, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Public Lands, Internal Improvements, Agriculture, etc., having had under consideration Senate Bill No. 114, begs leave to report upon the same.

This is an Act providing that a bond shall be furnished by an important public official entrusted with the custody of large sums of money.

We recommend that in Section 3, in the sentence describing the sum and condition of the bond, language be changed so that the sentence will read: "He shall execute and deliver to the Superintendent of Public Works a Surety Company

Bond in the sum of Ten Thousand Dollars, said Surety Company to be such a one as is accepted by the United States Government, conditioned on the faithful discharge of the duties of his office and the correct accounting for all public monies that may from time to time come into his hands; and he shall renew such bond whenever requested so to do by the Superintendent of Public Works."

We recommend that as so amended the bill do pass.

Respectfully submitted,

L. L. M'CANDLESS.

I favor the intent of the bill, but I consider it should bond the heads of all departments as well as the clerks.

J. D. PARIS.

I concur in the opinion of Senator Paris.

J. B. KAOHI.

Senator Baldwin moved that the report be laid on the table to be taken up with the bill and Senate Bill No. 150. Seconded by Senator Kalaauokalani and carried.

Senator McCandless offered a resolution asking for certain information from the Superintendent of the Honolulu Water Works and the Superintendent of Public Works, relating to the Honolulu Water supply, as follows:

#### RESOLUTION.

Whereas Senate Bill No. 122, providing for the purchase of certain Springs in Pauoa Valley for the Honolulu Water Works involves the expenditure of a very large sum of money, viz.: \$250,000.00, and Senate Bill No. 154 providing for the purchase of the Pahoa Water Works involves the expenditure of a further large sum of money, viz.: \$100,000.00;

And Whereas the development of the water system of Honolulu should be carried on intelligently and systematically so that the greatest supply of good water may be obtained for the least expenditure of public money;

And Whereas it is impossible to intelligently consider either of said two bills separately from the general question of the water supply of Honolulu;

Resolved that the Superintendent of the Honolulu Water Works and the Superintendent of Public Works be requested to report to the Senate as soon as practicable upon the following points, viz.:

(1). What is the present daily average consumption of water in millions of gallons in the City of Honolulu furnished by the Honolulu Water Works?

(2). At what rate is such consumption increasing? Give average daily consumption during the past ten years.

(3). What sources of water supply are now available to the Government, naming each, and the maximum, minimum and average amount of water which can be obtained from such source?

(4). What is the average cost to the Government per million gallons to obtain water from each of said sources?

(5). What other sources of water supply for the furnishing of the City of Honolulu are there? How much can, on an average, be obtained from each such source? What are private rights therein worth? And how much it will cost to develop and make available the water from the said several additional sources?

(6). Have the officers named any plans or recommendations for the improvement and increase of the system for furnishing Honolulu with water? If so, they are requested to present them to the Senate as soon as reasonably practicable.

Honolulu, March 31st, 1903.

L. L. M'CANDLESS,  
Senator Third District.

The President here called the Vice-President to the Chair. Senator Achi moved that the resolution be adopted. Seconded by Senator Dickey.

Senator Crabbe moved that the resolution be referred to the Special Committee on Pahoia Water Works.

The motion to refer to the Special Committee on Pahoia Water Works was then put by the Chair and carried.

Senator C. Brown for the Printing Committee reported Senate Bill No. 92 printed and ready for distribution.

Senator Dickey moved that Senate Bill No. 132 be taken from the table and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalauokalani.

After considerable discussion Senator Dickey withdrew his motion.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 154, 156 and 157 printed and ready for distribution.

Second Reading of Senate Bill No. 132, entitled "An Act Authorizing the Issue of Two Million, Six Hundred and Fifteen Thousand Five Hundred and Seventy Dollars (\$2,615,570.00), of Bonds of the Territory of Hawaii, with interest coupons attached within the biennial period that will end on the Thirtieth day of June, 1905, and to define the purposes for which the money obtained therefrom shall be expended."



Senator Paris moved that the bill be typewritten and consideration deferred until tomorrow. Seconded by Senator Woods and carried.

Third Reading of Senate Bill No. 116, entitled "An Act relating to Foreign Corporations and Incorporated Companies, amending Sections 1 and 5 of Act 45 of the Session Laws of 1898."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Isenberg—1.

Third Reading of Senate Bill No. 85, entitled "An Act to amend Section 1 of Act 12 of the Session Laws of 1898, entitled 'An Act to encourage the cultivation of Coffee and Ramie.'"

Senator Achi moved that the bill be laid on the table. Seconded by Senator Kaohi and lost.

The bill was then lost on the following showing of ayes and noes:

Ayes: Senators Baldwin, J. T. Brown, Crabbe, Dickey, Kalaauokalani and Paris—6.

Noes: Senators Achi, C. Brown, Kaiue, Kaohi, McCandless, Nakapaahu and Wilcox—7.

Not Present: Senators Isenberg and Woods—2.

Third Reading of Senate Bill No. 120, entitled "An Act to amend Sections 34, 35 and 39 of Chapter 59 of the Penal Code, and Sections 2 and 3 of Chapter 67 of the Session Laws of 1892 relating to Vaccination."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, McCandless, Paris and Wilcox—8.

Noes: Senators J. T. Brown, Kaiue, Kalaauokalani, Kaohi and Nakapaahu—5.

Not Present: Senators Isenberg and Woods—2.

At 12 o'clock Senator McCandless moved to take a recess until 2 o'clock. Seconded by Senator Achi and carried.

## AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Third Reading of Senate Bill No. 127, entitled "An Act relating to Frauds in the Sale of Butter or substances having the semblance of Butter, amending Section 2 of Chapter LXXXIV. of the Laws of 1892."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators C. Brown, J. T. Brown, Crabbe, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Wilcox and Woods—11.

Noes: None.

Not Present: Senators Achi, Baldwin, Dickey and Paris—4.

Third Reading of Senate Bill No. 45, entitled "An Act to Authorize E. C. Winston, his associates and assigns, to Construct, Maintain and Operate a Railroad in certain Districts in the Island of Oahu in the Territory of Hawaii."

Senator McCandless moved to defer action until Thursday, April 2nd. Seconded by Senator Isenberg and carried.

First Reading of House Bill No. 2, entitled "An Act to Prohibit the Cremation of Deceased Persons without the Consent of the Family of the Deceased."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

First Reading of House Bill No. 6, entitled "An Act to Grant Certain Powers to Representatives of Estates of Deceased Persons; to Provide for a Public Administrator, and for Distribution of Final Settlement."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator McCandless and carried.

First Reading of House Bill No. 26, entitled "An Act to amend Section 225, Chapter 26 of the Penal Laws, Territory of Hawaii, relating to Lights."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator McCandless and carried.

First Reading of House Bill No. 78, entitled "An Act to amend Section 8 of Act 9 of the Session Laws of 1901 relating to the Exemption of Wages of Laborers and Persons working for Wages, from Attachment, Execution, Distress and Forced Sale."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Woods and carried.

First Reading of House Bill No. 81, entitled "An Act to amend Chapter LVII. of the Laws of 1892, entitled 'An Act to Reorganize the Judiciary Department.'"

Senator Isenberg moved that the bill pass first reading. Seconded by Senator Dickey and carried.

First Reading of House Bill No. 99, entitled "An Act to designate two pay-days in a month for the Government Officials of the Territory of Hawaii."

Senator McCandless moved that the bill pass first reading. Seconded by Senator Woods and carried.

Second Reading of Senate Bill No. 35, entitled "An Act Defining the Sanitary District of Honolulu and Establishing Rules and Regulations for the Plumbing and Drainage of Buildings and the Construction of House Sewers in said District."

Senator Achi moved that the bill be read Section by Section. Seconded by Senator C. Brown and carried.

Section 2. The words "firm or corporation" stricken out of line 2; the words "if a firm each member, if a corporation, its manager" stricken out of lines 7 and 8; and the words "said examining Board shall consist of three members, one of whom shall be a member or attache of the Board of Health, one a representative plumber, and the third a citizen not connected with either the Board of Health or the plumbing business, and the members shall serve without pay" added at the end of the Section.

Section 3. The word "shall" inserted in place of the word "may" in line 1.

Section 11. The words "all costs, charges and expense incurred in connection with a sewer as provided in this Section shall be paid by the County, Territory or Municipal Government, and upon connection so made such County, Territorial or Municipal Government, as the case may be, shall charge an annual fee of Two Dollars" added at the end of the Section.

Section 12. The words "In any instance before issuing a permit for work to be done, the Inspector of Sewers and Plumbing shall make a careful advance inspection of the site, if the work is to be done in a new building, and of the building, if the work is to be done in a new building in course of construction or already erected, provided that the expenses of the same shall be more than \$300" added at the end of the Section.

Section 30. The figures "10" inserted in place of the figures "20" in line 2, and the figures "25" inserted in place of the figures "50" in line 3.

Section 32. The words "connected with sewer or cesspool" inserted in line 1 after the word "house."

Section 35. Referred back to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Section 36. Referred back to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Senator Kalauokalani moved that the balance of the bill be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Achi and lost.

Section 41. The word "installation" inserted in place of the word "use" in line 1.

Section 42. The word "properly" inserted before the word "flushed" in line 3.

Section 44. The words "automatic flush tank" stricken out of line 2 and the word "equipment" inserted.

Section 45. The words "6 inches" inserted in place of the words "2 feet" in line 2.

Section 51. The words "in livery stables" inserted in line 2 after the word "carriages."

Section 56. Stricken out.

Section 57. The words "or old bath tubs with new bath tubs, or old sinks with new sinks, or any other old fixture with a new fixture" stricken out of lines 3, 4 and 5.

Section 66. Amended to read "Section 66. No privy vault or cesspool, unless the same meet with sanitary requirements shall hereafter be constructed within the sanitary district where a sewer is accessible. The term accessible shall be construed and accepted to mean that said sewer is within forty feet of the front or side of the property in question."

Section 71. Stricken out.

Section 75. The words "but no entry upon private premises shall be made by said officers until after proper notice has been given by them to the occupant or occupants of the premises" added at the end of the Section.

Section 76. Amended to read as follows: "Section 76. This Act shall be in force and take effect thirty days after its publication."

Senator Dickey moved that the bill be laid on the table until the committee reports on Sections 35 and 36. Seconded by Senator Kalauokalani and carried.

At 4:10 o'clock Senator C. Brown moved to take a recess until 7:30 o'clock. Seconded by Senator J. T. Brown and carried.

## EVENING SESSION.

Third Reading of Senate Bill No. 84, entitled "An Act to Provide for the Incorporation and Government of Cities within the Territory of Hawaii."

The following amendments were made:

Section 1. The words "seventy-five" inserted in place of the words "one hundred" in line 2, and the word "such" inserted in place of the word "said" in line 4 before the word "action."

Section 9. The word "four" inserted in place of the word "two" before the word "years" at the end of the Section.

Section 30. The word "after" inserted in place of the word "from" in line 20.

Section 37. The word "Laws" inserted in the last line after the word "Session."

Section 58. The word "necessary" inserted in sub-division 12 before the words "or authorized public purposes."

Section 61. The words "other Bonds of the Territory" inserted after the words "Fire Claim Bonds or" in line 15.

Section 90. Amended so as to read as follows: "Section 90. This Act shall take effect and be in force simultaneously with an Act entitled 'An Act to provide for the Organization and Government of Counties.'"

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, McCandless, Paris and Wilcox—10.

Noes: None.

Not Present: Senators Baldwin, J. T. Brown, Kaohi, Nakapaahu and Woods—5.

At 9:15 o'clock Senator C. Brown moved to adjourn. Seconded by Senator Kalaauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

## THIRTY-SEVENTH DAY.

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Wednesday, April 1st, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain the roll was called showing Senators Isenberg and Nakapaahu absent.

The Journal of the Thirty-sixth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kalau-okalani, approved as read.

A communication from R. C. L. Perkins inviting the Members of the Senate to inspect the work done on Lantana by insects, was read by the Clerk, as follows:

Honolulu, April 1st, 1903.

To the Hon. President  
of the Senate.

Sir:—It is the intention of some of the Members of the Committee of the House on Agriculture to inspect the work done on Lantana by insects, imported with a view to checking and destroying the same. If any Members of the Senate care to accompany the Special Committee, who are being conducted by Mr. Albert Judd at 12 o'clock today, I shall be pleased to explain the work of these insects to them.

Yours truly,

R. C. L. PERKINS,

Senator Baldwin moved that the invitation be accepted with thanks. Seconded by Senator C. Brown and carried.

Senator McCandless for the Committee on Public Lands Internal Improvements, Agriculture, etc., reported on Sections 35 and 36 of Senate Bill No. 35, as follows:

Honolulu, H. T., April 1st, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Public Lands, Internal Improvements, Agriculture, etc., to whom was referred Sections 35 and 36 of Senate Bill No. 35 beg leave to report as follows:

We recommend that Sections 35 and 36 be embodied in one Section, to be numbered Section 35, and that the words "Continued Vents—Number of Closets on a Vent—Number of small fixtures on a Vent" between the two Sections, be stricken out.

With this change we recommend that Section 35 pass as amended.

Respectfully submitted,

L. L. McCANDLESS,  
J. D. PARIS.

I do not concur.

J. B. KAOHI.

Senator Paris moved that the report be laid on the table to be considered with the bill. Seconded by Senator Kalau-okalani and carried.

Senator Paris on behalf of the Ways and Means Committee reported on Senate Bill No. 119, as follows:

Honolulu, T. H., March 30, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to which was referred Senate Bill No. 119, begs leave to report upon the same.

We find it is an Act correcting a Statute defining a crime that does not exist designated as heretofore, namely "perjury in the second degree." The Act under consideration makes a further correction in a reference.

The proposed corrective Legislation was recommended by the Chief Justice, and your committee recommends that the bill do pass.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE,  
Committee.

Senator C. Brown moved that the report of the Committee be adopted. Seconded by Senator Paris and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Paris and carried.

Senator C. Brown for the Printing Committee reported on Senate Bill No. 150 as printed and ready for distribution.

Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 145, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 145 report that this Bill simply amends Section 1 of Chapter 25 of the Session Laws of 1876, being Section 864 of the Penal Laws, by inserting the words "Board of Health" in place of "Minister of the Interior." The Act relates to the appointment of a Sheep Inspector on any of the islands upon application of a majority of the sheep owners and is to prevent the spread or introduction of disease amongst sheep. The amendment places the power of appointment with the Board of Health.

We recommend the passage of the Bill.

Honolulu, March 31st, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator J. T. Brown moved that the report of the Committee be adopted. Seconded by Senator Kalauokalani and carried.

Senator Kalauokalani moved that the bill be read third time tomorrow. Seconded by Senator J. T. Brown and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 144, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 144, report that the Act in question simply eliminates the word "Fire Marshal" and inserts wherever those words appear in laws defining the duties of the Fire Marshal the words "Chief Engineer of the Fire Department"; the change is made necessary for the reason that the duties heretofore directed to be done by the several Acts named in this Bill are now to be done and performed by the Chief Engineer of the Fire Department, as there is no such officer known to the law as Fire Marshal.

We recommend the passage of the Act.

Honolulu, March 31st, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.



Senator J. T. Brown moved that the report of the Committee be adopted. Seconded by Senator Kaohi and carried.

Senator Kalaauokalani moved that the bill be read third time tomorrow. Seconded by Senator J. T. Brown and carried.

Senator C. Brown for the Printing Committee reported on Senate Bills Nos. 125, 135, 137, 138 and 139 as printed and ready for distribution.

Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 143, as follows:

HON. C. L. CRABBE,

President of the Senate.

Dear Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 143, report that the Bill seeks to amend Section 345 of the Penal Laws relating to nuisances; the law applies to awnings on buildings and extending to the outer edge of the sidewalk, and regulates the manner in which such awnings shall be affixed and built. The amendment adds balconies and verandas. Heretofore the plans for the erection or adding of awnings, balconies or verandas to buildings, had to be approved by the Minister of the Interior or his Agent; this is now to be done by the Superintendent of Public Works.

We recommend the passage of the Bill.

Honolulu, March 31st, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI,

Senator J. T. Brown moved that the report of the Committee be adopted. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator J. T. Brown and carried.

Senator Kaiue offered the following resolution asking for various appropriations for public improvements on the Island of Maui:

#### RESOLUTION.

Resolved by the Senate of the Legislature of the Territory of Hawaii:

That the following sum be inserted in the Loan or Appropriation Bill:

Addition to Teacher's Cottage, Keokea, Kula,	
Makawao . . . . .	\$ 300 00
New School Room with addition, Kealahou, Kula,	
Maui . . . . .	800 00

Purchase of Land and Buildings, Kealahou, Maui..	250 00
Three-room School House, Makawao, Kula, Maui.	2,750 00
Teacher's Cottage with site, Kaupakulua, Makawao	1,500 00
One-room School House, Peahi, Hamakualoa, Maui	900 00
New School room and out-houses, Huelo, Hamakualoa, Maui .....	800 00
Two-room School house, Kihei, Makawao, Maui ...	1,800 00
General Repairs and improvements (two years) ..	1,200 00

S. E. KAIUE,  
Senator Second District.

Honolulu, March 31st, 1903.

Senator Kalauokalani moved that the resolution be laid on the table to be considered with the Appropriation Bill. Seconded by Senator J. T. Brown.

Senator Paris moved that the resolution be referred to the Committee on Health and Education.

The Chair then put the motion to lay the bill on the table to be considered with the Appropriation Bill, which carried.

Senator Achi offered a resolution asking that Twenty Thousand Dollars (\$20,000.00) be appropriated for sewers at Kalihi, as follows:

#### RESOLUTION.

Resolved, That the sum of \$20,000.00 may be inserted in the Loan Bill for sewer at Kalihi, along or near Kamehameha Schools.

W. C. ACHI,  
Senator 3rd District.

Senator Baldwin moved that the resolution be referred to the Committee on Health and Education. Seconded by Senator Kalauokalani and carried.

Senator Paris moved to re-consider the action taken on the resolution of Senator Kaiue. Seconded by Senator Achi and carried.

Senator Nakapaahu offered a resolution asking that various items be inserted in the Loan or Appropriation Bills for road purposes on the Island of Kauai, as follows:

#### RESOLUTION.

Be it Resolved, by the House of Senate in the Legislature of the Territory of Hawaii assembled, That an appropriation of \$300 for the road from Kalalau to Haena, \$500 for the road from Haena to Wainiha, \$500 for the road from Wainiha to

Lumahal, \$1,000 for the road from Lumahal to Kikiula, \$500 for the road from Kikiula to Hanaleiuka, \$1,000 for the road from Kikiula to Kalihiwai, \$1,500 for the road from Kalihiwai to the boundary of Kāwāihau, \$500 for the road from Kuakea to Wainini and Kalihikai, in the District of Hanalei, be inserted in the Appropriation or Loan Bill.

L. NAKAPAAHU,

Senator of the 4th Senatorial District.

Honolulu, April 1st, 1903.

Senator Baldwin moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Paris and carried.

Under suspension of the rules Senator C. Brown reported for the Special Conference Committee appointed on House Bill No. 70, as follows:

Honolulu, T. H., March 31st, 1903.

HONORABLE C. L. CRABBE,

President of the Senate.

Sir:—Your Joint Conference Committee, to whom was referred the Emergency Appropriation Bill, at a conference held this 31st day of March, 1903, herewith submit the following Act as agreed upon by them this day.

Respectfully submitted,

CECIL BROWN,  
J. D. PARIS,  
JOHN T. BROWN,  
W. W. HARRIS,  
WM. N. PURDY,  
S. E. KALAMA.

The report of the Committee was adopted and the bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Isenberg—1.

Third Reading of Senate Bill No. 105, entitled "An Act providing for the Redemption of Real Property sold under Foreclosure of Mortgage."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Dickey, Kaiue, McCandless, Paris, Wilcox and Woods—10.

Noes: Senators Kalauokalani, Kaohi and Nakapaahu—3.

Not Present: Senators Crabbe and Isenberg—2.

Third Reading of Senate Bill No. 133, entitled "An Act to Provide for the appointment of a Commission to inquire into and pass upon and determine the claims or demands of certain persons for damages resulting from alleged illegal imprisonment in the years 1895 and 1896."

Senator Woods moved to defer consideration until tomorrow. Seconded by Senator C. Brown and carried.

Third Reading of Senate Bill No. 134, entitled "An Act to Provide for the Care and Custody of One Hundred and Fifty-five Thousand Five Hundred and Forty-six Dollars and seventy cents (\$155,546.70), being the money now in the possession of the Treasurer of the Territory and designated or known as the 'Chinese Fund.'"

Senator McCandless moved to defer action until Monday, April 6th. Seconded by Senator Dickey and lost.

Senator Achi moved to strike out the words "upon their leaving the Territory" in line 4 of Section 2. Seconded by Senator Kalauokalani and lost.

Senator McCandless moved to amend by adding to Section 5 the words "and pay to the Territory not less than six per cent. per annum on said One Hundred and Fifty-five Thousand Five Hundred and Forty-six Dollars and seventy cents (\$155,546.70) or any part thereof as long as in the possession of said trustee." Seconded by Senator Kalauokalani.

After considerable discussion, Senator Kalauokalani withdrew his second to the amendment.

Senator Baldwin moved to amend Section 4 by inserting after the words "other security" the words "approved by the Governor and Treasurer of the Territory." Seconded by Senator C. Brown and carried.

Senator Baldwin moved to amend Section 5 by adding the words "accompanied by proper receipts and vouchers for all moneys paid out under the provisions of this Act." Seconded by Senator C. Brown and carried.

Senator Achi moved to amend by making a new Section as follows:

"Section 8. Any unpaid portion of said fund shall be returned to the Government after six years from the approval of this Act as a Government Realization." Seconded by Senator C. Brown and carried.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, Nakapaahu, Paris, Wilcox and Woods—13.

Noes: Senator McCandless—1.

Not Present: Senator Isenberg—1.

#### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Third Reading of Senate Bill No. 21, entitled "An Act Relative to the Manufacture and Sale of Intoxicating Liquors."

Senator C. Brown moved that the bill be deferred until tomorrow. Seconded by Senator Kalaauokalani and carried.

Second Reading of Senate Bill No. 131, entitled "An Act Authorizing the Deposit of Public Money in a Designated Depository, and Providing for the Safe Keeping and Payment thereof, and to Provide Security therefor."

Senator Dickey moved that the bill be deferred until tomorrow. Seconded by Senator McCandless and carried.

Second Reading of Senate Bill No. 92, entitled "An Act Relating to Negotiable Instruments, being an Act to establish a Law uniform with the Laws of other States and Territories on that subject."

Senator Dickey moved that the bill be taken up this evening. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 154, entitled "An Act to Provide for the Purchase and Acquisition by the Territory of Hawaii of the Pahoa Water Works Plant situated at Pahoa and Kaimuki, Island of Oahu, Territory of Hawaii, and making an appropriation therefor." Referred to the Special Committee on Pahoa Water Works.

Second Reading of Senate Bill No. 156, entitled "An Act Concerning Corporations." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 157, entitled "An Act Relating to the Exemption of Taxes of the Pacific Heights Electric Railway Company, Limited. Referred to the Committee on Ways and Means.

Second Reading of House Bill No. 2, entitled "An Act to Prohibit the Cremating of Deceased Persons without the Consent of the Family of the Deceased." Referred to the Committee on Health and Education.

Second Reading of House Bill No. 6, entitled "An Act to Grant Certain Powers to representatives of Estates of Deceased Persons, to Provide for a Public Administrator, and for Distribution on Final Settlement." Referred to the Judiciary Committee.

Second Reading of House Bill No. 26, entitled "An Act to amend Section 225, Chapter 26, of the Penal Laws, Territory of Hawaii, relating to Lights." Referred to the Committee on Miscellaneous Petitions.

Second Reading of House Bill No. 78, entitled "An Act to amend Section 8 of Act 9 of the Session Laws of 1901, relating to the Exemption of the Wages of Laborers and Persons working for Wages, from Attachment, Execution, Distress and Forced Sale." Referred to the Committee on Ways and Means.

Second Reading of House Bill No. 81, entitled "An Act to amend Chapter LVII. of the Laws of 1892, entitled 'An Act to reorganize the Judiciary Department.'" Referred to the Judiciary Committee.

Second Reading of House Bill No. 99, entitled "An Act to Designate two Pay-days in a month for the Government Employees and Officials of the Territory of Hawaii." Referred to the Committee on Public Expenditures.

Second Reading of Senate Bill No. 132, entitled "An Act Authorizing the Issue of Two Million, Six Hundred and Fifteen Thousand Five Hundred and Seventy Dollars (\$2,615,570.00) of Bonds of the Territory of Hawaii, with interest coupons attached, within the Biennial Period that will end on the Thirtieth Day of June, 1905, and to define the purposes for which the money obtained therefrom shall be expended."

Senator J. T. Brown moved that the item "reorganization of wharf system, Honolulu, (completion of plans to require \$350,000.00 more), \$400,000.00," be amended to read "reorganization of wharf system, Honolulu, \$200,000.00."

Senator Dickey moved as an amendment that the item be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Woods and lost.

The chair then put the motion of Senator J. T. Brown which carried.

Senator Paris moved that the item "wharf and shed McGregor's Landing, Maui, \$6,000.00" be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Achi.

Senator Kalauokalani moved that the item be stricken out. Seconded by Senator J. T. Brown and lost.

Senator Baldwin moved that the item pass as in the bill. Seconded by Senator Woods and carried.

Senator C. Brown moved that the item "reconstruction and repairs Judiciary Building, \$45,000.00" be stricken out. Seconded by Senator Woods and carried.

Senator Dickey moved to amend item "new Court House and Jail, Wailuku, \$20,000.00" so as to read "County Court House and Jail, Wailuku, \$30,000.00." Seconded by Senator Paris and lost.

Senator Achi moved that the item pass as in the bill. Seconded by Senator C. Brown and carried.

Senator Paris moved that the item "Court House, Jail, Jailor's House and water tank at Hookena and Keahauku, \$4,000.00" pass at \$3,000.00. Seconded by Senator Dickey and carried.

Senator Achi moved to insert item "sewerage, Kalihi, \$20,000.00." Seconded by Senator Woods and lost.

Senator C. Brown moved that the item "Nuuanu Reservoir number 4, \$150,000.00" be referred to the Special Committee on Water Works. Seconded by Senator J. T. Brown and carried.

Senator Paris moved that the item "filtration plant, Nuuanu Valley, \$60,000.00" be referred to the same Committee. Seconded by Senator Dickey and carried.

Senator Paris moved that the item "High Lift Reservoir and Pipe, \$25,000.00" and purchase of 60,000 feet of 8-inch cast iron pipe and 40,000 feet of 6-inch cast iron pipe, \$175,000.00" be referred to the same Committee. Seconded by Senator Woods and carried.

Senator C. Brown moved that the item "water development, Lualualei, Oahu, \$20,000.00" be stricken out. Seconded by Senator Achi and carried.

Senator McCandless moved to insert item "School House and Teacher's Cottage, Kahana, Oahu, \$1,500.00." Seconded by Senator Kalauokalani and carried.

Senator Achi moved to insert new item of "School House and Teacher's Cottage at Aiea or Kalauao, \$4,000.00." Seconded by Senator McCandless and lost.

Senator McCandless moved that the item "School Houses and Teachers' Cottages, Island of Oahu, \$130,700.00" be referred to a Special Committee. Seconded by Senator Kalauokalani and carried.

The Chair named Senators Achi and McCandless as a Special Committee.

Senator Paris moved that the item "School Houses and Teachers' Cottages, Island of Hawaii, \$33,800.00" be increased to \$40,000.00. Seconded by Senator J. T. Brown and carried.

Senator Baldwin moved that the item "School Houses and Teachers' Cottages, Islands of Maui, Molokai and Lanai, \$53,700.00" be increased to \$55,000.00. Seconded by Senator Dickey and carried.

Senator Achi moved to re-consider the item "School Houses and Teachers' Cottages, Island of Oahu, \$134,700.00." Seconded by Senator McCandless and lost.

Senator Achi moved that the item "new stables, road department, Honolulu, \$15,000.00" be amended by reading as follows: "New Stables Fourth District, \$7,500.00" and "New Stables Fifth District, \$7,500.00." Seconded by Senator Kalauokalani and carried.

Senator Kaohi moved to insert "North Kohala road from Makapala to Honokani, \$1,000.00." Seconded by Senator Nakapaahu and lost.

Senator Kaohi moved to insert item "Bridge at Puaiole, \$500.00." Seconded by Senator Nakapaahu and lost.

Senator Kaohi moved to insert item "Bridge at Kawaihae, \$3,000.00." Seconded by Senator Kalauokalani and carried.

Senator Paris moved to insert item "A new road from Mahukona to join Kohala-Waimea road at Puuhue, \$4,500.00." Seconded by Senator Woods and carried.

Senator Paris moved to insert item "New road from Kailua to join Keauhou road at Kahaluu, \$10,000.00" in place of item "constructing road and approaches to wharf Napoopoo, Kealahewa Bay, \$5,000.00." Seconded by Senator Dickey and carried.

Senator Kalauokalani moved that the item "New Main road from Kalahiki to Honokua, \$5,000.00" be stricken out. Seconded by Senator C. Brown and carried.

Senator J. T. Brown moved to insert "Road from Kahaulea to Kaola, \$12,000.00." Seconded by Senator Woods and carried.

Senator C. Brown moved that the item "Relocating and constructing four miles of road between Ookala and Kukaiau, \$20,000.00," pass at \$10,000.00. Seconded by Senator J. T. Brown and carried.

Senator Kalauokalani moved that the item "Waipio Beach Road, \$30,000.00," be amended to read "New Waipio Road, \$30,000.00." Seconded by Senator Woods and carried.



Senator Paris moved to insert item "Court House, Jail and County Buildings, West Hawaii, \$20,000.00." Seconded by Senator Dickey and carried.

Senator J. T. Brown moved to insert item "New Road from Front Street to Volcano Road, South Hilo, known as Richardson Avenue, \$3,000.00." Seconded by Senator Nakapaahu and carried.

Senator Dickey moved to re-consider the action taken on Senate Bill No. 94. Seconded by Senator J. T. Brown and carried.

Senator Dickey moved that the bill be referred to the Judiciary Committee. Seconded by Senator Woods and carried.

At 4:15 o'clock Senator Paris moved to take a recess until 7:30 o'clock. Seconded by Senator Woods and carried.

### EVENING SESSION.

The Senate re-convened at 7:30 o'clock.

Senator McCandless moved to re-consider the item "Relocating and Reconstructing Main Road in Kukuihaele Plantation, East of Waialeale Gulch, \$11,000.00." Seconded by Senator Achi and carried.

Senator McCandless moved that the item be stricken out. Seconded by Senator Achi and carried.

Senator J. T. Brown moved to insert new item "Kaumana Homestead Road, \$11,000.00." Seconded by Senator Achi and carried.

Senator Dickey moved to strike out the item "Branch Road to Upper Nahiku Lots, \$10,000.00." Seconded by Senator Achi and carried.

Senator Dickey moved that the item "Horse Trail, Nahiku to Kailua, \$5,000.00" be increased to \$10,000.00. Seconded by Senator McCandless and carried.

Senator Dickey moved that the item "New Trail to summit of Haleakala, \$3,000.00" be increased to \$5,000.00. Seconded by Senator McCandless and carried.

Senator McCandless moved to insert item "Concrete and Stone Bridge, Waikane, \$3,000.00." Seconded by Senator Achi and carried.

Senator McCandless moved that the item "New Bridges, Approaches and Abutments, \$15,000.00" be increased to \$25,000.00. Seconded by Senator Achi and carried.

Senator Kalauokalani moved that the item "Fort Street Extension, \$20,000.00" be increased to \$30,000.00. Seconded by Senator Nakapaahu and carried.

Senator Achi moved to insert new item "Queen Street Extension, \$25,000.00." Seconded by Senator Kalauokalani and carried.

Senator Nakapaahu moved that the item "Embankment, Waimea River, \$12,000.00" be increased to \$20,000.00. Seconded by Senator Kalauokalani and carried.

Senator Nakapaahu moved that the item "Road from Koloa to New Landing at Kukuiula Bay, \$1,000.00" be increased to \$1,500.00. Seconded by Senator Achi and carried.

Senator Wilcox moved to insert item "Reconstructing road from Hanalei to and including Wainiha, the same to include culverts, \$13,400.00." Seconded by Senator Achi and carried.

Senator Wilcox moved to insert item "Court House, Jail and County Building, Kauai, \$25,000.00." Seconded by Senator Kalauokalani and carried.

Senator Dickey moved that the items "Branch Road to Upper Nahiku Lots, \$10,000.00" and "Horse Trail, Nahiku to Kailua, \$5,000.00" be referred to a special committee. Seconded by Senator Baldwin and carried.

The Chair appointed the following committee: Senators Dickey, Kaiue and Baldwin.

Senator Baldwin moved that a new item be inserted as follows: "Fencing Kihei-Kaheka Road, \$1,200.00." Seconded by Senator McCandless and carried.

Senator McCandless moved to re-consider item of "Reconstruction and repairs, Judiciary Building, \$45,000.00." Seconded by Senator Dickey and carried.

Senator McCandless moved that the item be referred to a special committee. Seconded by Senator Dickey and carried.

The Chair announced the following committee: Senators McCandless and Baldwin.

Senator Kalauokalani moved to increase item "Sewerage, Honolulu, \$83,820.00" to \$110,000.00. Seconded by Senator Achi.

Senator McCandless moved as an amendment to increase the item to \$100,000.00. Senator Kalauokalani accepted the amendment, which carried.

Senator Baldwin moved that the item "County Court House and Jail, Wailuku, \$2,500.00" be amended to read as follows: "Court House, Jail and County Building, Wailuku, \$25,000.00." Seconded by Senator Dickey and carried.

Senator Paris moved that the item "New Jail, Hilo, \$16,000.00" be amended to read "New Jail and County Building, Hilo, \$30,000.00." Seconded by Senator J. T. Brown and carried.

Senator J. T. Brown moved to insert item "New Jail and Court House, Kapoho, Puna, \$2,000.00." Seconded by Senator Dickey and carried.

Senator Achi moved to insert item "Homestead Road, Papa to Alika, \$2,000.00." Seconded by Senator McCandless and carried.

Senator Paris moved to re-consider item "Court House, Jail and County Building, West Hawaii, \$20,000.00." Seconded by Senator J. T. Brown and lost.

Senator Dickey moved to insert a new Section, as follows: "Section 7. When the Act to Organize Counties goes into effect the Board of Supervisors in the several Counties shall perform the duties required of Road Boards in this Act." Seconded by Senator Achi and carried.

At 8:45 o'clock Senator Dickey moved to adjourn. Seconded by Senator Kalauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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### THIRTY-EIGHTH DAY.

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Thursday, April 2nd, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain the roll was called showing Senators Achi, J. T. Brown and Woods absent.

The Journal of the Thirty-seventh Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Paris, approved as read.

A communication from the Secretary of the Territory announcing that the Governor had signed Acts 10, 11, 12, 13, 14, 15 and 16 was read by the Clerk, as follows:

Honolulu, H. I., April 2nd, 1903.

SENATOR C. L. CRABBE,

President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on the 1st instant:

"Act 10. An Act Relating to Embezzlement, Amending Sections 2 and 3 of Chapter XVIII of the Penal Code (Penal Laws, Sections 158, 159)."

"Act 11. An Act Relating to the Receiving of Stolen Goods Amending Section 5 of Chapter XX of the Penal Code (Penal Laws, Section 174)."

"Act 12. An Act Relating to the Felonious Branding of Cattle, Amending Section 1 of Chapter XXV of the Penal Code (Penal Laws, Section 215)."

"Act 13. An Act Relating to Burglary, Amending Section 5 of Act 38 of the Laws of 1896 (Penal Laws, Section 106)."

"Act 14. An Act to Repeal Acts 12 and 77 of the Provisional Government (Penal Laws, Chapter 97), Relating to the Importation and Sale of Opium."

"Act 15. An Act Relating to Larceny, Amending Section 15 of Chapter XVI of the Penal Code as Amended by Act 25 of the Laws of 1896 (Penal Laws, Section 132)."

"Act 16. An Act Relating to Guardians and Wards."

Very respectfully,

G. R. CARTER,

Secretary of the Territory.

A communication from the House of Representatives, transmitting House Joint Resolution No. 4, relating to Silverware belonging to His late Majesty Kalakaua, was read by the clerk, as follows:

Honolulu, H. T., April 1, 1903.

To the Honorable President of the

Senate of the

Territory of Hawaii.

Sir:—I have the honor to herewith transmit a duly certified copy of House Joint Resolution No. 4, which was adopted by the House of Representatives on the 26th day of March, A. D. 1903.

S. MEHEULA,

Clerk.

Approved:

F. W. BECKLEY,

Speaker.

## HOUSE JOINT RESOLUTION NO. 4.

Introduced by Mr. Kellinoi.

Whereas, a certain Set of Silver Table Ware, together with the Chest containing the same, of great value, was presented on or about the year 1876 to His Late Majesty Kalakaua, by His Excellency the then President of the French Republic, some of which articles of silver having been lost in later years were replaced at the expense of his said late Majesty, in or about the year 1882; and,

Whereas, said articles remained in the use and possession of His said Majesty Kalakaua during the balance of His Majesty's life; and thereafter remained in the possession of His Majesty's successor, Her Majesty Liliuokalani, at said Iolani Palace; and,

Whereas, said articles are now held in the custody of the Superintendent of Public Works of this Territory, under the claim that the same belong to the Territory, and were not the private property of His Majesty Kalakaua, but became, by fact of such presentation as aforesaid, the property of the Crown of Hawaii, to which said Territory has succeeded; and,

Whereas, by the death, and under the Will of His said Majesty Kalakaua, his personal property and effects became vested in his widow, the late Queen Dowager Kapiolani, by whose Will in turn, all her property not otherwise specifically disposed of, and including said articles, became vested in her two nephews, the Princes David Kawananaokoa and Jonah Kalaniana'ole; and,

Whereas, it is fitting that a present such as that above described, from the Head of the Great French Republic to the Monarch of Hawaii should not, under the peculiar circumstances and conditions of such gift, be claimed or kept by the Government of this Territory, but it is proper that the representatives in family and estate of His said Majesty Kalakaua should receive and enjoy the articles so presented to their illustrious relative, as aforesaid; therefore

Resolved, by the House of Representatives, the Senate concurring, that the Superintendent of Public Works be and he is hereby instructed to deliver to said Princes David Kawananaokoa and Jonah Kalaniana'ole, all and singular the articles of Silverware aforesaid, together with the Chest containing the same, taking their receipt therefor, and that this Territory doth hereby renounce any and all claims to the ownership of said articles, and each and all thereof.

Senator Baldwin moved that the resolution be referred to the Committee on Public Expenditures. Seconded by Senator Kalaupokalani and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on the resolution relating to the collection of sewer rates by the Superintendent of Public Works, as follows:

Honolulu, T. H., April 1, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—The Honorable Body by resolution having instructed your Committee on Public Lands, Internal Improvements, Agriculture, etc., to make enquiries concerning the collection of sewer rates from citizens by the Superintendent of Public Works, begs leave to report upon the subject.

Your committee finds that citizens are charged for making a connection with the sewer system and then charged for the use of the same, signing a contract at the time of securing the permit to make the connection. We find no law authorizing this charge. We believe that citizens should in all cases have the free use of the sewer system and this committee has offered an amendment to that effect to Senate Bill No. 35, now before this honorable body.

Your committee submits herewith, as part of this report, and with the request that the same be read, a note from the Superintendent of Public Works on the use of the sewer system, a statement of monies received from citizens for the use of the system and a printed copy of the form of application required to be used by citizens wishing to connect their properties with the sewer system.

Respectfully submitted,

L. L. McCANDLESS,  
J. D. PARIS,  
J. B. KAOHI,  
Committee.

Honolulu, T. of H., March 31, 1903.

HON. L. L. McCANDLESS,  
Chairman Committee on Public Lands,  
Internal Improvements and Agriculture.

Sir:—In reply to Resolution of Senator D. P. R. Isenberg. adopted March 28th, 1903, I have to enclose herewith memorandum of collections of rates and fees of the Honolulu Sewerage System, from December, 1900, to March 30th, 1903.

The fees are \$1.00 payable on application for permission to connect with the public sewer. The rates are payable in ac-

cordance with terms of the contract, signed by the owner; the following clause bearing upon that question:

"And I further agree to lay a T or Y branch in the house sewer at the property line, and to pay such rates annually for the use of the sewer as may be fixed."

Very respectfully,

HENRY E. COOPER,  
Superintendent of Public Works.

2 Enclosures.

Honolulu, T. of H., March 30, 1903.

Collections of Rates and Fees of the Honolulu Sewerage System from December, 1900, to March 30, 1903.

Total No. of Privileges issued, 1,032.

Total amount of Rates collected.....\$29,543 39

Total amount of Fees collected..... 1,012 00

\$30,555 39

Senator Paris moved that the report be received and placed on file. Seconded by Senator Achi and carried.

Senator Achi for the Special Committee reported on items of School Houses and Teachers' Cottages in the Loan Bill, as follows:

HON. C. L. CRABBE,

President.

Sir:—Your Special Committee to whom were referred the items for School Houses and Teachers, Island of Oahu, respectfully report as follows:

The estimates for buildings in detail for the Island of Oahu from the Board of Education, were as follows:

New Royal . . . . .	\$ 40,000 00
New Normal . . . . .	40,000 00
Kalihiwaina, 6 Rooms . . . . .	8,000 00
Pohukaina, 8 Rooms . . . . .	10,000 00
Waikiki, 2 Rooms . . . . .	2,500 00
Molili, 1 Room, additional . . . . .	1,200 00
Manoa, 2 Rooms . . . . .	2,500 00
Kaakapua, 4 Rooms . . . . .	5,000 00
High School, Com. Dep. . . . .	5,000 00
Waialua, 6 Rooms . . . . .	6,000 00
Industrial School . . . . .	24,500 00

Halawa, 3 Rooms . . . . .	4,000 00
Pearl City, 3 Rooms . . . . .	4,000 00
Pearl City, cottage . . . . .	1,200 00

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Total for Oahu . . . . . \$ 153,900 00

We found out that the above estimates are necessary, but we further found out that a School House ought to be built at Kahana. We, therefore, recommend that an amount of \$155,400 be inserted in the Loan Bill for School Houses and Teachers' Cottage for Oahu.

Respectfully submitted,

W. C. ACHI, Chairman.

L. L. McCANDLESS.

Senator Achi moved that the report be laid on the table to be considered with the Loan Bill. Seconded by Senator Isenberg and carried.

Senator Baldwin for the Special Committee to which was referred several road items in the Loan Bill, reported as follows:

Honolulu, April 2nd, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred the items in the Loan Bill:

Branch Road to Upper Nahiku Lots . . . . .	\$ 10,000 00
Horse Trail, Nahiku to Kailua . . . . .	5,000 00

report as follows:

The Upper Homesteaders at Nahiku have no mode of access to their lots, except by an almost impassable foot-path, and a road should be provided.

Your committee finds that estimates of the cost of constructing the road have been made, amounting to \$2,500.00. and recommend the items be inserted at that figure.

The road from Nahiku to Kailua is probably the worst one in the Islands, although it passes through the most picturesque and tropical scenery in the Islands, and perhaps in the world. A good road through that Section would not only open up the region to tourists, but will open large tracks to be occupied by small farmers, as it would enable them to reach a market with their produce. The amount put in the bill for the purpose is utterly inadequate; in fact the item of \$5,000.00 was intended to be put in the Current Appropriation for repairs on the present road.



If the new road is made these repairs will be unnecessary. Your committee recommends that the item be raised to \$50,000.00, which would make a good dirt road through the region. It would require \$125,000.00 to put in a macadamized road similar to that now made from Hana to Nahiku.

Respectrully submitted,

C. H. DICKEY, Chairman  
H. P. BALDWIN,  
S. E. KAIUE.

Senator McCandless moved that the report be laid on the table to be considered with the Loan Bill. Seconded by Senator Nakapaahu and carried.

A communication from the House of Representatives announcing the passage of Senate Bills Nos. 53 and 72 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 1st, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bills Nos. 53, entitled "An Act to Amend Section 1426 of the Civil Code, (Section 2009 of the Civil Laws of 1897)", and No. 72, entitled "An Act Relating to Divorce, Separation, and Annulment of Marriage," they having passed their respective Third Readings in the House of Representatives, Territory of Hawaii, this First Day of April, A. D. 1903.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

Second Reading of Senate Bill No. 118, entitled "An Act Relating to Partnerships, amending Section 4 of Chapter LXX. of the Session Laws of 1886 and repealing Section 2 of Chapter XXVIII. of the Session Laws of 1880."

Senator C. Brown moved that the bill pass second reading. Seconded by Senator Achi and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 121, entitled "An Act to Provide for the Publication of One Volume of the Reports of the Decisions of the United States District Court of the Territory of Hawaii."

Senator Achi moved that the report of the Committee be adopted. Seconded by Senator McCandless and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 140, entitled "An Act Relating to the Quarantine of Animals, amending Certain Laws upon that Subject."

Senator Achi moved that the bill pass second reading. Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 142, entitled "An Act Relating to the Inspection, Testing, Storage and Sale of Kerosene Oil, amending Sections 2, 5, 6 and 7 of Chapter LXVIII. of the Laws of 1890 (Penal Laws, Sections 1518, 1521, 1523)."

Senator Kalauokalani moved that the bill pass second reading. Seconded by Senator Isenberg and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 147, entitled "An Act Relative to Vaccination, amending Certain Laws on that Subject." Referred to the Committee on Health and Education.

Second Reading of Senate Bill No. 148, entitled "An Act Relating to the Hilo Fire Department, amending Sections 2, 10 and 19 of Chapter LXXXVI. of the laws of 1892 (Penal Laws, Sections 1053, 1062, 1072)."

Senator Achi moved that the bill pass second reading. Seconded by Senator C. Brown and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 149, entitled "An Act to Regulate and License Insurance Business in this Territory." Referred to the Ways and Means Committee.

Second Reading of Senate Bill No. 151, entitled "An Act to Repeal Act 35 of the laws of 1898, Relating to the Importation of Foreign Goods marked as if Hawaiian."

Senator Isenberg moved that the bill pass second reading. Seconded by Senator Achi and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 158, entitled "An Act to Appropriate Money for the Purpose of supplying and placing Fire Hydrants in the streets of Wailuku, Maui, and for Purchasing Hose, Hose Carts and other Equipment for Volunteer

Fire Company in the said town of Wailuku." Referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Second Reading of House Bill No. 28, entitled "An Act Relating to Passenger Vehicles and Drivers and to Regulate and License the same." Referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 152, entitled "An Act Relating to the Protection of Birds, repealing Section 3 of Chapter LXXXV. of the Penal Code (as amended by Section 1 of Chapter XIII. of the Session Laws of 1870) and Chapter XLI. of the Session Laws of 1892."

Senator C. Brown moved that the bill pass second reading. Seconded by Senator Kalaauokalani and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Kalaauokalani and carried.

Third Reading of Senate Bill No. 21, entitled "An Act Relative to the Manufacture and Sale of Intoxicating Liquors."

Senator Baldwin moved to defer consideration until this afternoon. Seconded by Senator C. Brown and carried.

Third Reading of Senate Bill No. 45, entitled "An Act to Authorize E. C. Winston, his Associates and Assigns to Construct, Maintain and Operate a Railroad in Certain Districts in the Island of Oahu in the Territory of Hawaii."

Senator Isenberg moved to defer consideration until this afternoon. Seconded by Senator Kalaauokalani and carried.

Third Reading of Senate Bill No. 65, entitled "An Act Relative to Insurance Policies."

Senator C. Brown moved that the bill be laid on the table. Seconded by Senator Achi and carried.

Third Reading of Senate Bill No. 111, entitled "An Act to Provide against the Adulteration of Foods and Drugs."

Senator Achi moved to defer consideration until tomorrow. Seconded by Senator C. Brown and carried.

Third Reading of Senate Bill No. 110, entitled "An Act to amend Section 51 of the Session Laws of 1896, entitled 'An Act Relating to Internal Taxes and to repeal Chapter 61 of the Session Laws of 1892 relative thereto,' approved June 3, 1896, and to repeal Section 18 thereof."

Senator Baldwin moved to defer consideration until tomorrow. Seconded by Senator C. Brown and carried.

Third Reading of Senate Bill No. 19, entitled "An Act Relating to the Incorporation of Banking Companies, amending and repealing certain laws on that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris and Wilcox—13.

Noes: None.

Not Present: Senators Dickey and Woods—2.

Third Reading of Senate Bill No. 130, entitled "An Act Relative to Persons and Corporations engaged in the business of Insurance."

Senator Baldwin moved that the bill be deferred and considered with Senate Bill No. 149. Seconded by Senator Achi and carried.

Third Reading of Senate Bill No. 133, entitled "An Act to Provide for the Appointment of a Commission to inquire into and pass upon and determine the claims or demands of certain persons for damages resulting from alleged illegal imprisonment in the years 1895 and 1896."

Senator C. Brown moved that the bill be deferred until tomorrow. Seconded by Senator Kalauokalani and carried.

Third Reading of Senate Bill No. 143, entitled "An Act amending Certain Laws Relating to Nuisances."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris and Wilcox—13.

Noes: None.

Not Present: Senators Dickey and Woods—2.

Third Reading of Senate Bill No. 144, entitled "An Act to amend Certain Laws by striking out the words "Fire Marshal" and inserting in lieu thereof the words "Chief Engineer of the Fire Department."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris and Wilcox—13.

Noes: None.

Not Present: Senators Dickey and Woods—2.

Third Reading of Senate Bill No. 145, entitled "An Act to amend certain laws by striking out the words "Minister of the Interior" and inserting in lieu thereof the words "Board of Health."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris and Wilcox—13.

Noes: None.

Not Present: Senators Dickey and Woods—2.

Third Reading of Senate Bill No. 35, entitled "An Act Defining the Sanitary District of Honolulu and Establishing Rules and Regulations for the Plumbing and Drainage of Buildings and the Construction of House Sewers in said District."

Senator Isenberg moved that the report of the committee be adopted. Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the bill pass second reading. Seconded by Senator Achi and carried.

Senator Achi moved that the bill be read third time on Monday, the 6th. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 131, entitled "An Act Authorizing the Deposit of Public Money in a Designated Depository and Providing for the Safe keeping and payment thereof, and to provide Security therefor."

At 12 o'clock Senator McCandless moved to take a recess until 2 o'clock. Seconded by Senator Achi and carried.

#### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock

Second Reading of Senate Bill No. 131 continued.

Senator C. Brown moved that Senate Bill No. 131 be postponed and that the Senate proceed with the consideration of Senate Bill No. 7. Seconded by Senator Kalauokalani and lost.

Senator Isenberg moved that the bill pass second reading. Seconded by Senator Baldwin and carried.

Senator Isenberg moved that the bill be read third time on Monday, the 6th. Seconded by Senator Achi and carried.

Third Reading of Senate Bill No. 21, entitled "An Act Relative to the Manufacture and Sale of Intoxicating Liquors."

The President here called Senator Isenberg to the Chair.

Senator Crabbe moved to amend Section 1 by inserting after the words "government of counties" the words "passed by the second Legislature of the Territory of Hawaii." Seconded by Senator McCandless and carried.

Senator Dickey moved to insert in Section 3 after sub-division 4 a new sub-division, as follows: "5. No License under the provisions of this Act shall be issued unless the application is accompanied by a petition signed by a majority in interest of the property owners on the same side of the street and on the opposite side of the street of the block where the license is to be exercised. In residence and country Districts such petition shall be signed by a majority in interest of all property owners within a radius of two hundred yards. A block, within the meaning of this Act is, to the next cross street on both sides of the proposed location, but if there is no such street within two hundred feet, that distance shall be considered the end of the block. Provided that the provision shall not apply to renewals of licenses in force at the time of the passage of this Act." Seconded by Senator McCandless and lost.

Senator Achi moved to amend sub-division 5 by inserting after the words "property owners" the words "not more than 150 feet each way." Seconded by Senator Crabbe.

Senator McCandless moved to amend by adding the words "provided this sub-division shall not apply to that portion of Honolulu bounded by River Street, to Beretania Street, to Alakea Street, to the Water Front, along the Water Front to River Street." Seconded by Senator Achi and lost on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, Crabbe, Dickey, McCandless, Paris and Wilcox—7.

Noes: Senators C. Brown, J. T. Brown, Isenberg, Kaiue, Kalaauokalani, Kaohi and Nakapaahu—7.

Not Present: Senator Woods—1.

Senator C. Brown moved that the sub-division pass as in the bill. Seconded by Senator J. T. Brown and carried.

Senator Crabbe moved to amend Section 9 by striking out the word "bottle" and inserting the word "gallon." Seconded by Senator Dickey and carried.

Senator Crabbe moved to amend Section 11 by striking out at the end of the section the words "to such bona fide guests, but such licensee shall not in any case establish a bar on his premises." Seconded by Senator McCandless and carried.

Senator Crabbe moved that Section 13 pass as in the original bill, excepting leaving the word "five" before the word "years" in line 3. Seconded by Senator Dickey and lost.

Senator C. Brown moved that the section pass as in the bill. Seconded by Senator McCandless and carried.

At 4:20 o'clock Senator Baldwin moved to adjourn. Seconded by Senator Kalauokalani and carried.

*William Spalding.*

Clerk of the Senate.

Approved by the Senate:

*Charles L. Crabbe*

President of the Senate.

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THIRTY-NINTH DAY.

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Friday, April 3rd, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain the roll was called showing Senator C. Brown absent.

The Journal of the Thirty-Eighth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kaohi, approved as read.

A communication from the Governor of the Territory transmitting petitions from Japanese Societies and Hack Drivers protesting against the passage of the Hack Men's Bill was read by the Clerk, as follows:

EXECUTIVE CHAMBER.

Territory of Hawaii,  
Honolulu, Apl. 2nd, 1903.

HON. C. L. CRABBE,

President of the Senate,

Honolulu, T. H.

Sir:—I have the honor to enclose herewith for the consideration of the Senate, a petition from Japanese hack drivers.

transmitted to me by Mr. Miki Salto, His Imperial Japanese Majesty's Consul General at Honolulu, also two resolutions by Japanese societies on the same subject.

Very respectfully,

SANFORD B. DOLE.

3 enclosures.

Senator Paris moved that the petitions be referred to the Committee on Ways and Means. Seconded by Senator Achi and carried.

A communication from the Attorney General of the Territory relating to the retainment of Mr. E. P. Dole to defend cases at Washington was read by the clerk as follows:

TERRITORY OF HAWAII.

Office of the Attorney General.

Honolulu, April 2, 1903.

To the President and Members of the Senate,  
Territory of Hawaii.

Gentlemen:—Prior to my appointment to the office of Attorney-General of the Territory of Hawaii, I am informed that the Department of Justice at Washington had requested Mr. E. P. Dole to appear and assist them in the argument of the case of the Territory against Osaki Makichi. This was a case involving the right of the Territorial Courts before the Organic Act went into effect, to convict criminals or decide civil cases by a vote of nine out of the twelve jurors, and other important constitutional questions, and it was of vital importance to the Territory to win the same, amounting, if won, to the saving of probably at least twenty thousand dollars in expenses. Upon Mr. Dole's resignation as Attorney-General it was still necessary out of courtesy to the Department at Washington and to protect the interests of the Territory that he should make this trip and represent the Territory in the United States Supreme Court, therefore at the request of the Governor I retained him in the matter and paid him a fee of Five Hundred (500) Dollars, this being *retained* and in fact more than in our present financial circumstances the Territory could afford out of the funds appropriated by the last Legislature. Of course, the amount is wholly inadequate to the importance of the issues presented in said cases, and it was with the understanding that I would request the Legislature to grant a further appropriation that Mr. Dole took the trip. I append a copy of the list of convicts and criminals who, if the case is lost, will be turned loose upon this Territory, thereby causing great expense and almost hopeless efforts to obtain the evidence necessary to re-convict them.



In conference with Governor Dole and E. P. Dole it was agreed that the Legislature should be asked to appropriate the sum of \$1,000 as a fee to be paid by the Territory to Mr. Dole in addition to the \$500 already allowed by my Department. I therefore present this matter for your earnest consideration and would be very glad to give any further light on the matter that your Honorable body would require.

Respectfully yours,

LORRIN ANDREWS,  
Attorney-General.

Senator C. Brown moved that the communication be received and considered with the Appropriation Bill. Seconded by Senator McCandless and carried.

A communication from the House of Representatives, announcing the passage of Senate Bills Nos. 15, 17 and 77 was read by the clerk as follows:

Honolulu, T. H., April 2nd, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith the following Senate Bills, which have passed their respective Third Readings in this House this day, to-wit:

Senate Bill No. 15 entitled "An Act to license the Retail Sale of Malt Liquors."

Senate Bill No. 77, entitled "An Act for the Incorporation of Societies for the Prevention of Cruelty to Children."

Senate Bill No. 17, entitled "An Act to Repeal a part of Section 2, Chapter 72, Session Laws of 1886, and to Remit claims for Special Tax on Malt Liquors under said section."

Very respectfully,

S. MEHEULA,  
Clerk.

A communication from the House of Representatives, transmitting House Bill No. 157, was read by the clerk as follows:

Legislative Assembly,  
House of Representatives,  
Honolulu, H. T., April 2nd, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

Gentlemen:—I have the honor to herewith transmit to you the following House Bill No. 157, entitled "An Act to Provide

for the Acquisition by the Territory of Hawaii, of the Kaai-kahi and Kahuawai Springs of Pauoa Valley and the Waters thereof," which has passed its Third Reading in this House this 2nd day of April, 1903.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

Senator Dickey for the Committee on Miscellaneous Petitions reported on House Bill No. 26 as follows:

Honolulu, T. H., April 2, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions to which was referred House Bill No. 26, entitled "An Act to amend Section 225, Chapter 26 of the Penal Laws, Territory of Hawaii, relating to lights" has had the same under consideration.

The Act proposes to extend the regulations in regard to lights on bicycles and tricycles to the whole Territory instead of restricting it to the District of Honolulu.

Your committee recommends its passage with the following amendments:

Amend the title to read "An Act to amend Section 1, Chapter 26 of the Session Laws of 1892, relating to Lights."

Strike out in Sec. 1 the words "225 of the penal laws as compiled" and on line 2 the words "by Sidney M. Ballou" and insert in place thereof—"Sec. 1. Chapter 26 of the Session Laws of 1892."

Strike out in line 4, Sec. 1, the numerals "225" and insert the numeral "1."

These amendments are for the purpose of amending the actual statute law instead of attempting to amend the compilation of Sydney M. Ballou, which has never been enacted.

Respectfully submitted,

C. H. DICKEY, Chairman  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Baldwin and carried.

Senator C. Brown moved that the bill be read third time on Monday, the 6th. Seconded by Senator Achi and carried.

Senator Wilcox for the Committee on Health and Education reported on Senate Bill No. 146 as follows:

Honolulu, T. H., April 3rd, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Health and Education to which was referred Senate Bill No. 146 entitled "An Act amending certain Laws Relating to the Board of Health," have had the same under consideration. The object of this bill seems to be to cut out the salary of the President of the Board of Health as provided for in the bill which passed third reading in this Senate March 24. It also provides that there shall be three physicians, and three laymen, instead of two physicians and four laymen as in the bill already passed by this Senate.

Your Committee would recommend the indefinite postponement of this bill.

Respectfully submitted,

S. W. WILCOX,  
H. P. BALDWIN,  
PALMER P. WOODS.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Paris and carried.

Senator Wilcox for the same committee reported on Senate Bill No. 147 as follows:

Honolulu, H. T., April 3, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Health and Education to which was referred Senate Bill No. 147, entitled "An Act relative to Vaccination, amending certain laws on that subject," have had the same under consideration. Your Committee finds that all the points brought forward in this bill are covered in Senate Bill No. 120, which passed third reading in this Senate March 31, and it is, therefore, superfluous.

Your Committee would recommend the indefinite postponement of this bill.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS,  
H. P. BALDWIN.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 153, 161 and 162 printed and ready for distribution.

Senator C. Brown for the Judiciary Committee reported on House Bill No. 81 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee to whom was referred House Bill No. 81, report that this bill is the same, with the exceptions below stated, as Senate Bill No. 73, which passed its third reading on March 16th, and was immediately sent to the House of Representatives. Senate Bill 73 made the time of holding Court in the Fourth Circuit for the months of February, May and November, and did away with the holding of Court in the District of Hamakua in August. The House Bill requires the August Term to be held in Hamakua, but has not changed the terms to be held in Hilo. On Maui the Senate Bill fixed two terms a year, June and December; the House adds another term to be held in March, and changes December to October. In the Third Circuit the Senate fixed a term at Kailua in March; the House fixes the time in April and adding another term in December, and changes the term to be held in North Kohala from September to July. In the Fifth Circuit the Senate fixed the term of Court from April and November; the House fixes the terms from March, July and December, adding a new term.

As these alterations would have been in the nature of amendments to the Senate Bill, and would have had to be sent back or returned to this body for concurrence or acceptance, your Committee sees no reason why the Bill should not be acted upon at once. We believe that the giving of another term of Court in each Circuit outside of the First and Fourth will accommodate the public and satisfy the wants of the people; the continuing of the term of Court in Hamakua, we think unnecessary; but, if the people, as represented by the House, so desire, we see no reason of disputing that fact, and we therefore recommend that the House Bill pass its second reading.

Honolulu, April 3, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Isenberg moved that the report of the committee be adopted. Seconded by Senator Wilcox and carried.

Senator Achi moved that the bill be read third time on Monday, the 6th. Seconded by Senator C. Brown and carried.

Senator C. Brown for the same committee reported on House Bill No. 6 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee to whom was referred House Bill No. 6, being "An Act granting certain powers to representatives of deceased persons, providing for the appointment of a public administrator, and the administration and final distribution of the estate of deceased persons," report that they have had same under consideration.

The Act in question makes a radical change in the law and practice as has heretofore existed and been administered. It settles for the future all questions relating to the determination of who are heirs to the estates of deceased persons when the proceedings are had under its provisions and in the manner directed. Heretofore the only distribution authorized by law in the Probate Courts has been of personal property, and the past few years in consequence have witnessed great numbers of suits relating to the title to land and questioning titles supposed to be undisputed. The Act was prepared, we understand, through the efforts of the Bar Association and has its approval as well as that of the Judges of the Judiciary Department. We recommend the passage of the Bill with the following amendment in Section 22: strike out the words "as provided by Chapter 36 of the Session Laws of 1892." The reason that this amendment is recommended is, that the law relating to the Supreme Court designating a newspaper as one of general circulation, and in which notices are to be published, has been repealed during this session of the Legislature.

Honolulu, April 3, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI,

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator McCandless and carried.

Senator C. Brown moved that the bill be read third time on Monday, the 6th. Seconded by Senator Achi and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 156 as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee to whom was referred Senate Bill No. 156, report that they have had same under consideration. The object of the Bill is to amend the law relating to the forming of special partnerships, as to make it possible for two or more corporations to take advantage of that statute. The fact of corporations becoming partners is an innovation, and the passage of this Act will allow it. Circumstances are such in this Territory that we think it advisable and in the interests of all that the Act should become law, and therefore recommend the passage of the Bill with the following amendments: strike out the words "Chapter 131 of the Civil Laws of the Territory of Hawaii of 1897" in Section 1, and insert in their place "Chapter 70 of the Session Laws of 1886"; insert a new Section to be called Section 2 to read as follows:

"Section 2. All acts to be done and proceedings required or made necessary by Chapter 70 of the Session Laws of 1886 in the formation of special partnerships, shall be done and performed by the officers of the respective corporations entering into such special partnerships."

Honolulu, April 3, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI,

Senator Isenberg moved that the report of the committee be adopted. Seconded by Senator J. T. Brown and carried.

Senator Achi moved that the bill be read third time on Monday, the 6th. Seconded by Senator Isenberg and carried.

Senator Mc'andless for the special committee, to which was referred the item "Reconstruction and Repairs to the Judiciary Building," reported as follows:

Honolulu, T. H., April 3, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your special committee to whom was referred the Loan Bill item of \$45,000 for reconstruction and repairs to Judiciary Building, begs leave to report upon the same. We have inspected the Judiciary Building and find that it is throughout the whole of the interior in very poor condition indeed from wear and tear, age and the ravages of borers. It has lasted well, but is now in an advanced stage of decay and

may be said to be even in a dangerous condition. The proposal to furnish fireproof construction where so many valuable documents are held is an excellent one. We believe the estimate of \$45,000 to be a reasonable one and recommend that this amount be set aside in the Loan Bill for the purpose indicated. Attached to and made a part of this report is an official estimate on the work.

Respectfully submitted,

L. L. McCANDLESS,

H. P. BALDWIN,

Committee.

Senator Paris moved that the report of the committee be laid on the table to be considered with the loan bill. Seconded by Senator Kalaauokalani and carried.

Senator Dickey offered a resolution asking for an appropriation of \$600.00 for the purchase of instruments for a band at the Leper Settlement as follows:

#### RESOLUTION.

Resolved, That \$600.00 be inserted in the Appropriation Bill for the purpose of purchasing Instruments for a Band at the Settlement at Kalaupapa to be under the care of the Superintendent of the Settlement.

C. H. DICKEY.

Senator Achi moved that the resolution be referred to the special committee appointed to go to the settlement. Seconded by Senator Kalaauokalani and carried.

Senator Achi offered a resolution requesting the committee on Public Expenditures to file the Appropriation Bill for unpaid bills as follows:

#### RESOLUTION.

Resolved, That the Committee of Public Expenditures is hereby requested to file the appropriation bill for unpaid bills. April 3rd, 1903.

W. C. ACHI,

Senator 3rd District.

Senator C. Brown moved that the resolution be laid on the table. Seconded by Senator Kalaauokalani and carried.

Under the head of unfinished business, the Senate proceeded with the consideration of Senate Bill No. 21, entitled "An Act relating to the Manufacture and Sale of Intoxicating Liquors," continued.

The President here called the Vice President to the chair.

Senator Crabbe moved to amend Section 16 by striking out the words "seven hundred and fifty dollars" and inserting "five hundred dollars." Seconded by Senator C. Brown.

Senator Achi moved to reconsider Section 9. Seconded by Senator Isenberg and carried.

Senator McCandless moved to strike out the word "gallon" and insert "full quart bottle." Seconded by Senator Achi and carried.

Senator Isenberg moved to amend Section 17 by adding at the end of the section "Provided, however, that if, in the districts of the second class, a hotel license, without a bar, be granted to or for a bona fide hotel continuously carried on and maintained as such with accommodations, board and lodging for not less than fifteen persons, and not less than 12 properly furnished bedrooms, the applicant shall pay an annual fee of two hundred and fifty dollars, such license to cease and determine upon the abandonment or failure to properly maintain the Hotel as such." Seconded by Senator Baldwin.

Senator Crabbe moved to amend the amendment by adding the words "and provided further that all fees for licenses under this Act shall be paid semi-annually in advance." Senator Isenberg accepted the amendment which carried.

Senator Achi moved to reconsider Section 14. Seconded by Senator Kalauokalani and carried.

Senator C. Brown moved to amend Section 14 by adding at the end of the section the words "The annual fee for any license granted under this Act shall be paid, viz.: six months in advance and in default of any other payment after issue of such license, such license shall cease, determine and be void." Seconded by Senator Achi and carried.

Senator Achi moved to reconsider Section 17. Seconded by Senator Kalauokalani and carried.

Senator Achi moved to amend Section 17 by striking out at the end of the section the words "and provided further that all fees for licenses under this Act shall be paid semi-annually in advance." Seconded by Senator Dickey and carried.

At 12 o'clock Senator Baldwin moved to take a recess until 2 o'clock. Seconded by Senator Dickey and carried.



## AFTERNOON SESSION.

The Senate reconvened at 2 o'clock, the Vice President in the chair.

Third Reading of Senate Bill No. 21 continued.

Senator Achi moved to amend Section 18 by striking out the words "3 miles" and inserting "1000 feet." Seconded by Senator Kalauokalani and lost.

Senator Achi moved to amend Section 36 by inserting after the word "conviction" the words "against the party delivering." Seconded by Senator Isenberg and carried.

Senator Achi moved to amend Section 38 by inserting after the word "of" in last line the words "not more than." Seconded by Senator Kalauokalani and carried.

Senator Dickey moved to amend Section 43 by striking out the words "twenty-five dollars" and inserting "fifty dollars." Seconded by Senator Achi.

Senator Crabbe moved that the section pass as in the bill. Seconded by Senator Woods.

The amendment of Senator Dickey was then put and lost, the section passing as in the bill.

Senator Achi moved to amend Section 44 by striking out the word "six" in the last line and inserting the word "five." Seconded by Senator C. Brown and carried.

Senator C. Brown moved to amend Section 45 by adding at the end of the Section the words "Provided however that the provisions of this Act shall not apply to the issuing of licenses for the sale of Malt Liquors nor to the issuing of licenses for the brewing and sale of Malt Liquors as now authorized by law nor shall the words "Malt Liquors" as defined by law regulating the issuing of licenses for its sale or brewing be included in nor deemed to be 'intoxicating liquors' within the meaning of this Act." Seconded by Senator Achi and carried.

Senator Dickey moved to insert a new section as follows: "Section 46. No retail liquor license except Hotel liquor licenses shall be issued under this Act to be exercised within 300 feet of a church or school house actually occupied or used as such. This provision shall not apply to the renewal of any license in force at the time of the passage of this Act." Seconded by Senator Crabbe.

Senator Achi moved to amend the amendment by striking out "300 feet" and inserting "150 feet." Seconded by Senator J. T. Brown.

The chair then put the amendment of Senator Dickey which carried on the following showing of ayes and noes:

Ayes: Senators Baldwin, Crabbe, Dickey, Isenberg, Kalaauokalani, Kaohi, McCandless, Paris and Wilcox—9.

Noes: Senators Achi, C. Brown, J. T. Brown, Kaiue, Nakapaahu and Woods—6.

Senator Crabbe moved to amend Section 23 by inserting the words "distilled spirits" and striking out the words "intoxicating liquors." Seconded by Senator Woods and carried.

Senator Dickey moved to amend Section 23 by striking out the word "liquors" in line 6 and inserting the word "spirits." Seconded by Senator C. Brown and carried.

Senator Woods moved to insert a new section as follows: "Section 47. No license issued for the sale of methylated spirits and alcohol under any provision of law shall authorize the holder thereof to sell alcohol in greater quantities than one quart, and the license of any such licensee selling in greater quantities than one quart shall be forfeited, and such licensee shall be subject to a fine of not less than one hundred nor more than two hundred and fifty dollars." Seconded by Senator C. Brown.

Senator Crabbe moved as an amendment to the amendment to add the words "provided however this provision shall not apply to the prescriptions of duly licensed and practicing physicians or surgeons." Senator Woods accepted the amendment which carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

Noes: Senators Kalaauokalani and Kaohi—2.

Second Reading of Senate Bill No. 153, entitled "An Act to create a Territorial Department of Secret Service." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 161, entitled "An Act to amend Section 3 of Act 21 of the Acts of the Provisional Government, relating to and prohibiting Gambling and Gaming." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 162, entitled "An Act to enable Police to suppress Gambling and Gaming." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 150, entitled "An Act relating to the Bonds of Public Officers."

Senator C. Brown moved to amend line 3 of Section 1 by inserting after the words "President of the Board of Health" the words "and the Chief Clerks of all departments of the Government of the Territory." Seconded by Senator Dickey and carried.

Senator Achi moved to amend Section 1 by adding at the end of the section the words "such surety company shall be approved by the Governor of the Territory." Seconded by Senator C. Brown and carried.

Senator C. Brown moved to amend Section 3 by adding after the words "twenty-five thousand dollars" the words "for the heads of departments hereinbefore named and ten thousand dollars for chief clerks." Seconded by Senator McCandless and carried.

Senator Dickey moved that the bill pass second reading as amended. Seconded by Senator Wilcox and carried.

Third Reading of Senate Bill No. 45, entitled "An Act to authorize E. C. Winston, his associates and assigns, to construct, maintain and operate a railroad in certain Districts in the Island of Oahu in the Territory of Hawaii."

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

At 4:15 o'clock Senator Kalaanokalani moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator C. Brown and carried.

William Spradger.

Clerk of the Senate.

**Approved by the Senate:**

Charles L. Crabbe.

President of the Senate.

## FORTIETH DAY.

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Saturday, April 4th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain the roll was called showing Senators Baldwin and Paris absent.

The Journal of the Thirty-ninth Day was read and, upon motion of Senator Kaohi, seconded by Senator J. T. Brown, approved as read.

A communication from the Secretary of the Territory announcing that the Governor had signed Acts 17, 18, 19, 20 and 21 was read by the Clerk, as follows:

Honolulu, H. I., April 3rd, 1903.

SENATOR C. L. CRABBE,

President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on the 3rd instant:

"Act 17. An Act Relating to Assault and Battery, Amending Section 7 of Chapter IX of the Penal Code as Amended by Act 34 of the Laws of 1896, and Adding a new Section to said Chapter IX."

"Act 18. An Act to Repeal Act 10, Session Laws 1901, entitled 'An Act Relating to the Appointment of Bailiffs for Certain Courts in the Territory of Hawaii and Defining the Powers and Duties of such Bailiffs and Fixing the Amount of their Compensation, and Providing the Payment of such Compensation.'"

"An Act to Abolish Estates in Joint Tenancy and by Entirety except in Certain Cases."

"Act 20. An Act to License the Brewing and Sale of Malt Liquors."

"Act 21. An Act Relating to Contempts, Amending Section 18 of Chapter XXIX of the Penal Code, Adding a new Section to said Chapter, and Repealing Sections 2 and 3 of Chapter XLII of the Laws of 1888."

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

A communication from the House of Representatives returning Senate Bill No. 66 as amended by the House was read by the Clerk, as follows:

Honolulu, H. T., April 3rd, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bill No. 66, entitled "An Act Relating to Criminal Practice and Procedure, etc.", which has passed its third reading in the House of Representatives, Territory of Hawaii, on April 1st, 1903, with the following amendment, namely, by striking out the whole of Section 9.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

Senator C. Brown moved that the communication be laid on the table. Seconded by Senator Dickey and carried.

A communication from the House of Representatives transmitting House Bill No. 94, was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 3d, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill 94, entitled "An Act to Encourage Diversified Industries," which passed its Third Reading in this House on April 1st, 1903.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

A communication from the House of Representatives transmitting the amendments to Senate Bill No. 1 was read by the Clerk, as follows:

Honolulu, H. T., April 4, 1903.  
Legislative Assembly,  
House of Representatives,

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bill No. 1, entitled "An Act to Provide for the Organization and Government of Counties and Districts, and the Management and Control of Public Works and Public Institutions therein", which passed its Third Reading in the House of Representatives, Territory of Hawaii, on the 3rd day of April, 1903, with the following amendments:

Beginning with the title of the bill, it recommends that the same should be amended to read as follows: "An Act Providing for the Organization and Government of Counties and Districts, and the Management and Control of Public Works and Public Institutions therein."

In subdivision (a) of Section 1, the words "within a limit of three nautical miles of the shores thereof," occurring after the word "Islands" in the first line of said subdivision and on page 1, be stricken out, and the words "of the Territory not included in any other county and the waters adjacent thereto," be substituted in lieu thereof.

In subdivision (b) of said Section 1, in line 8, page 2, insert the words "and the waters adjacent thereto" after the word "thereof," and in the next line, the words "Wailuku, on the Island of Maui," be stricken out and the words "on the Island of Maui, at such place as shall be determined by a majority vote at the first election held in accordance with the term of this Act" be substituted in lieu thereof.

On page 4, in line 15, strike out the name "Kau" and insert "Hamakua" in its place, and in line 18 insert after the word "thereof" the following words: "and the waters adjacent thereto," and in the same line strike out the words "West Hawaii" and substitute "Kanaiaupuni" in its stead; also strike out the word "Kailua" at the end of line 19 and substitute "Waimea" instead.

In Subdivision (d) on the same page, strike out the name "Hamakua" in line 29 and substitute "Kau" in its place, and in line 2 on page 5, insert the words "and the waters adjacent thereto," between the words "thereof" and "shall."

And on page 5, in subdivision (e) of the same Section, in line 15 thereof, strike out all after the words "which shall be" and the words "on the Island of Kauai, at such place as shall be determined by a majority vote at the first election held in accordance with the terms of this Act," be substituted in lieu thereof, and between the words "thereof" and "shall" insert the words "and the waters adjacent thereto."

In Section 2, page 6, in line 8, the name "Kanaiaupuni" is substituted for "West Hawaii" and in line 9, substitute the word or name "Hamakua" for "Kau", and in line 12, substitute the name "Kau" for the name "Hamakua".

Section 13 should read as follows: "Section 13. Each County shall have a Board of Supervisors, consisting of seven members, one to be elected from each district, and the rest at large, to be apportioned as follows:

"County of Oahu:—All of Honolulu east of Nuuanu Avenue to and including Maunalua, three Supervisors; all of Honolulu west of Nuuanu Avenue to and including Moanalua, two Supervisors, and the Districts of Ewa and Waialanae, Waialua, Koolauloa and Koolaupoko, all combined, two."

"County of Maui:—District of Lahaina, one Supervisor; District of Walluku, two; District of Hana, one; District of Makawao, one; Districts of Molokai and Lanai combined, one; and one Supervisor to be elected at large."

"County of Kanaiaupuni:—District of Hamakua, two Supervisors; all the other Districts, one each; and one to be elected at large."

"County of East Hawaii:—Districts of North Hilo and Hilo, three Supervisors; Districts of Kau and Puna, three, and one to be elected at large."

"County of Kauai:—One Supervisor from each District, and one at large."

In the Section following, on page 10, strike out all after the word "election" towards the end of line 7 to the end of the Section.

On page 10, line 11, Section 15, strike out the words "Governor of the Territory" and substitute the words "remaining members" instead and in line 12 after the word "vacancy" insert the following: "but in the case of a tie, the Governor of the Territory shall fill the vacancy."

Insert in subdivision 6 (on page 17) and 12 (on page 18) of Section 22, "four-sevenths" in place of "four-fifths."

In line 6 of Section 31, and in line 5 of Section 32, both on page 25, substitute "four-sevenths" for "four-fifths" wherever appearing.

And in Section 46, line 7, page 32, to insert the words "and the laws of the Territory of Hawaii" in the oath after the words "United States." And in the succeeding Section (48) to strike out the words "members of the road board" in lines 4 and 5 at the end of line 4 and the beginning of line 5.

Section 52, line 10, page 34, substitute the words "Board of Supervisors" for the title of "Governor."

Insert "Kanaiaupuni" for "West Hawaii" in the schedule of salaries of the several County Officers under Section 54, wherever appearing on pages 36, 37 and 38.

Chapter 21, on page 74, the title should read "County Clerk and Recorder." And Section 181 is to be amended by adding a new subdivision to be inserted after subdivision 2, line 4, as follows: "3. And be the Recorder of the County and discharge all the duties of that office, as provided by Chapter 18 of this Act."

The title of Chapter 23, on page 75, is changed to read only "Road Supervisor." And in the first line of the following Section 184, the words "road board and" be stricken out.

Section 199, under Chapter 26, on page 94, in line 4 of that Section, substitute the word "two" in place of the word "One" occurring between the words "above" and "thousand."

Strike out all of subdivision 2 of Section 269, Chapter 33, on page 123, relating to "the expenses of public schools throughout the Territory."

In line 3 of Section 303 under Chapter 41 on page 131, substitute "fifteen" for "twenty-five." And in line 2 of Section 312, Chapter 43, on page 133, to substitute "Twenty-five" for "ten" and the same substitution in line 2 of Section 316, Chapter 44, on page 135.

The whole of Chapter 45, relating to "Fire-Arms" being Sections 317 and 318 hereof, to be stricken out. Also in line 2 of Section 329, Chapter 49, on page 138, the word "five" be inserted in place of "ten."

In Section 348, Chapter 55, on page 143, line 2, the word "three" be substituted for the word "one" as in the Bill, and the words after "dollar" in the same line be all stricken out; and the words "and the capacity of the vehicle", at the end of line 6 and at the beginning of line 7 of Section 349, on the same page, be also stricken out; and to insert between the words "driver" and "he", in line 9, the following words: "and able to read and write the English or Hawaiian language."

In line 15 of Section 356, on page 146, insert the words "the county in" before the word "English" and insert after "English" the words "and Hawaiian."

The title of Chapter 58 to be only "Peddling." And a new Section is proposed, to be known as "Section 359a.", the same to read as follows: "The annual license to peddle merchandise shall be fifty dollars." Also an insertion to be made in the following Section, first line, page 147, between the words "cake" and "shall" as follows: "or merchandise."

Section 370 of Chapter 62, page 149, line 2, after the word "organization", should read as follows: "appoint a Road Supervisor for each District within its County, who shall receive such compensation as such Board may determine", near to the end of line four, the rest to remain as in the Bill.

In line two of Section 371, on page 150, strike out the words "member of" and substitute "Supervisor" for "Boards" near the end of line two thereof.



In line one of Section 372 succeeding, substitute "District Road Supervisor" for "Road Board", and in line six thereof, read, after the word "respective" as follows: "District Road Supervisors may decide. The respective District Road Supervisor" ending before the word "may" in line 7 of said Section.

Section 373 should begin as follows: "Each District Road Supervisor" instead of the words "member of each Road Board shall."

And in line 7 of Section 374 following, on page 150, the words "County Road Supervisor" to be used instead of the words "chairman and at least one other member of the road board." The rest of the Section to remain as in the Bill.

Begin the next Section as follows: "Section 375. Each District Road Supervisor" instead of "Sec. 375. The Chairman of each Road Board." And in line 2 of Section 376, on page 151, substitute "District Road Supervisor" for the words "member of such Road Boards."

And in line 5 of said Section 376, substitute the words "District Road Supervisor" for the words "member of a road board", and the words "District Road Supervisor has" in place of the words "member of such road board shall have", in line 8, and the words "the duties of his office" for the words "his duties as a member of the Road Board", occurring at the end of the ninth and the beginning of the tenth lines thereof. Strike out all of Section 377, on page 151. And in line 2 of Section 378, on page 151, in place of the words "Road Boards," after the word "respective", read "District Road Supervisor." And in line 3 of Section 379, read "District Road Supervisor" for the words "Chairman of the Road Board", and in line 6 of the same Section for "chairman" read "District Road Supervisor."

In division 2, line 7 of Section 510, Chapter 90, under the title of "Funds for Counties", insert the name "Kanalapuni" as substitute for the name "West Hawaii."

And further, that Sections 404 and 405, Chapter 66, on page 160, relating to the Public Schools, be stricken out, and that House Bill No. 92, introduced by Representative S. Kellinoi, entitled "An Act supplementary to the County Act, relating to the transferring of schools from Territorial to County control" be substituted in lieu thereof, and would suggest that the numbers of the respective Sections thereof be numbered consecutively so as to conform to the rest of the Bill.

Insert after the word "filled" near the end of the fifth line of Section 499, on page 196, the following words: "according to the manner provided in Section 15, Chapter 5, of this Act, relating to the Board of Supervisors."

Very respectfully,

SOLOMON MEHEULA,

Clerk.

Senator Baldwin moved that the Clerk be instructed to acknowledge the receipt of the communication and ask for the return of the original Senate Bill. Seconded by Senator C. Brown and carried.

Senator Dickey moved that further consideration of the communication be deferred until the return of the original bill. Seconded by Senator C. Brown and carried.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 159 and 160 printed and ready for distribution.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 50, as follows:

Honolulu, April 5, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred Senate Bill No. 50, entitled "An Act to Regulate the Practice of Medicine and Surgery in the Territory of Hawaii, and for the Appointment of a Board of Medical Examiners" have had the same under consideration.

The Act is offered for passage on the ground that the public should be protected from the practice of quacks. The bill is a good one in some particulars and your committee recommend its passage with the following amendments:

Sec. 1, line 1, strike out the word "five" and insert the word "seven." Strike out in line 3 the word "one" and insert the word "three" so that the board will consist of seven members instead of five, thus minimizing the likelihood of favoritism.

Sec. 10, line 9, insert after the word "dentists" the word "masseurs" so that osteopaths and other masseurs may carry on their business as far as massage or manipulation is concerned.

Sec. 13. Amend the Section so as to read "The members of the Board shall serve without pay. All printing, postage and other contingent expenses shall be paid from the appropriations for incidentals of the Board of Health." This amendment is proposed because your committee thinks that the medical practitioners of Honolulu will be perfectly willing to serve on the Board without pay for the purpose of keeping the medical profession in the Territory above reproach. Your committee does not approve of the feature in the bill giving the commission the power to expend government money as proposed in the latter part of Section 13, and have remodelled the Section accordingly. It also recommends that the words "and disbursements of said Board" in line 13 of Sec-

tion 2 be stricken out and also that the words "and disbursements" in line 3 of Section 3 be stricken out. The board then will turn over its receipts as government realizations the same as all others receiving money for the government, and will only pay out money or warrants under appropriations.

Your committee also recommends that the words "an affirmative vote of at least four members" be stricken from line 5 of Section 7 and the words "a unanimous vote" be inserted. This will lessen the likelihood of any person being disbarred unfairly by the board.

C. H. DICKEY, Chairman.

D. PAUL R. ISENBERG,

S. E. KAIUE.

Senator C. Brown moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Isenberg and carried.

Senator Baldwin moved that the Clerk be instructed to have the amendments proposed to Senate Bill No. 1 by the House, translated and typewritten. Seconded by Senator Dickey and carried.

Senator Achi moved to notify the House that the Senate does not concur in the amendments by the House to Senate Bill No. 1. Seconded by Senator Dickey and carried.

Senator Baldwin for the Committee on Ways and Means reported on House Bill No. 78, as follows:

Honolulu, T. H., April 4, 1903.

HONORABLE C. L. CRABBE,

President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred House Bill No. 78, "An Act to Amend Section 8 of Act 9 of the Session Laws of 1901, relating to the exemption of the wages of laborers and persons working for wages from attachment, execution, distress and forced sale", begs leave to report that the Senate has just passed an Act which has been sent to the House, that deals more fully with "exemptions from attachment, execution and forced sale", and is preferable, in our opinion, to House Bill No. 78.

We have no objection, however, to this Bill, which amends only one Section of the existing law relating to attachments, and have recommended the introducer of the Bill in the House to incorporate this amendment in the Senate Bill now in the House. This he agrees to do, and your Committee, awaiting

the result of such action, recommends that this Bill be laid on the table. The Bill can be taken off the table and passed, if the House refuses to incorporate the provisions of this Bill in the Senate Bill.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Isenberg and carried.

Senator Isenberg for the Special Committee, to which was referred items under the head of Agriculture and Forestry, reported as follows:

Honolulu, April 3, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Special Committee on Agriculture and Forestry, to whom was referred the appropriations for Agriculture and Forestry, beg to report that they have had the same under consideration and beg to report that they recommend that the appropriations as recommended by the Governor be amended as follows:

BOARD OF AGRICULTURE, HORTICULTURE AND  
FORESTRY.

SALARIES AND PAYROLLS.

Pay of Superintendent of Forestry.....	\$ 6,000 00
Assistants, Rangers, Employees and Laborers of Division of Forestry . . . . .	20,000 00
Pay of Superintendent of Entomology.....	6,000 00
Pay of Assistant Entomologists.....	10,000 00
Assistants, Inspectors and Employees of Division of Entomology . . . . .	6,000 00
Pay of Clerk and Messenger.....	2 760 00
	<hr/>
	\$ 50,760 00

CURRENT EXPENSES.

Incidentals and General Expenses of Board, in- cluding Importation, Collection and Distribution of Seeds and Plants . . . . .	\$ 8,000 00
Apparatus and Library . . . . .	1,000 00

Travelling Expenses of Commissioners.....	500 00
Incidentals, General Expenses and Maintenance of Division of Forestry, including Buildings, Fencing and Tree Propagation.....	20,000 00
Travelling Expenses Superintendent of Forestry..	1,000 00
Incidentals, General Expenses and Maintenance of Division of Entomology, including Buildings, Disinfecting and Quarantine Expenses and Ma- terial; Importation, Propagation and Distribu- tion of Beneficial Insects; and Travelling Ex- penses of Entomologists . . . . .	10,000 00
Farmers' Institute . . . . .	300 00
Agricultural and Horticultural Fairs . . . . .	5,000 00
Assistance to Federal Experiment Station at Ho- nolulu, to be expended under the direction of the Board . . . . .	10,000 00
Total . . . . .	\$ 55,800 00

It will be noticed that the salary of the Commissioner of Agriculture and Forestry is omitted.

The reason for this is that it is proposed to transfer the duties of the Commissioner of Agriculture to the Superintendent of Public Works, as the latter officer will be deprived of most of his duties by the County Bill.

It will also be noticed that the suggested appropriations provide for a Superintendent of Forestry, a Superintendent of Entomology and of Assistant Entomologists.

The reason for this is that it is proposed to secure the services of a professional forester and a professional entomologist, each of whom will take special charge respectively of the divisions of Agriculture and Forestry.

Mr. Gifford Pinchot, the Chief of the Bureau of Forestry, at Washington, has stated that he would allow one of his trained assistants to come to the islands, at least for a sufficient length of time to lay out the scheme of a systematic Forestry Department. By doing this we shall be working intelligently and systematically instead of at haphazard.

We cannot tell beforehand exactly what course of action such a trained specialist would deem best.

We, therefore, think that instead of appropriating moneys in detail for the Nuuanu Forestry, as has been done in the past, the appropriations should be in lump sums permitting the expert forester to use his discretion so as to accomplish the best results. For this reason we have, as it will be noticed, lumped the appropriations under general headings.

The appropriations suggested also provide for a salary for the Superintendent of Entomology and a suitable number of assistants, and for establishing quarantine and disinfecting

quarters and for apparatus and buildings for the propagation of beneficial insects, such as for the destruction of the lantana; and for inspection and quarantine for the prevention of the introduction of insects and pests not yet here.

This course is comparatively a new proposition for Hawaii and it is impossible to tell beforehand in detail just how the money can be best expended.

The Senate has recently had a chance to observe for itself how much can be obtained from a small expenditure in this direction, and we feel that it will be safe to entrust with men of this character the expenditure of the money necessary for the equipment and operation of a division of Entomology without tying them too closely to details.

We have, therefore, in this recommendation lumped the appropriations under general heads, instead of defining too closely what the money shall be used for.

You will notice also that the amount to be voted for the assistance of the Federal Experiment Station has been increased to \$10,000 without defining exactly for what it is to be used. This is done for the same reasons above set forth, viz:

That the Station is new, and the exact details cannot be foretold. The best results can, therefore, be obtained by leaving wide discretion as to exact objects of expenditure.

The objection may be made that Territorial money should only be expended under Territorial supervision. To meet this suggestion it is provided that the appropriation is to be expended under the direction of the Board of Agriculture.

In this connection we would state that your committee has been reliably informed that every State and Territory, except Alaska, makes an appropriation for the assistance of the Federal Agricultural Experiment Station and that last year Porto Rico appropriated \$15,000 for this purpose. The Experiment Station is exclusively for the benefit of the people of Hawaii. If the Federal Government is so good as to appropriate \$15,000 per annum for the benefit of the people of Hawaii, through this Experiment Station, it would seem that the least that could be done to evidence our appreciation thereof would be to appropriate at least two-thirds as much. We have, therefore, recommended for this purpose the sum of \$10,000.

The other appropriations recommended by the Governor viz: For Agricultural Fairs and Farmers' Institute meet with our hearty endorsement.

We remain,

Your obedient servants,

D. PAUL R. ISENBERG,  
Chairman of Committee.

D. KALAUOKALANI,  
H. P. BALDWIN.

Senator Kalaauokalani moved that the report of the committee be adopted. Seconded by Senator C. Brown.

Senator Achi moved that the report be laid on the table to be considered with the bill. Seconded by Senator Paris and lost.

Senator Paris for the Committee on Public Expenditures reported on the Message of the Governor relating to Unpaid Bills, as follows:

Honolulu, T. H., April 3, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Standing Committee on "Public Expenditures", to which was referred the Message of His Excellency the Governor upon the subject of "Unpaid Bills", begs leave to report upon the same.

Your Committee has found it necessary to occupy a large amount of time in investigating the claims against various department, and has made the closest inquiries possible. Your committee submits, as part of this report, and asks that the same be read, certain findings and recommendations by an expert accountant whom we found it necessary to employ and who has performed excellent service. Your committee further presents, for the consideration of the Senate and with the committee's endorsement, an Act making certain appropriations for the payment of the "Unpaid Bills."

Taking these items up as in the Message of the Governor in regular order.

#### JUDICIARY DEPARTMENT.

We beg to substitute for the amount in the original bill \$7,847.50 the following items:

Supreme Court and Judiciary Department:

Miscellaneous . . . . .	\$ 210 30	
	<hr/>	\$ 210 30

First Circuit Court:

Pay of Grand Jurors . . . . .	\$ 2,650 00	
Pay of Trial Jurors . . . . .	3,600 00	
Regular Bailiffs . . . . .	850 00	
Extra Bailiffs . . . . .	62 00	
Extra Interpreters . . . . .	352 00	
Extra Stenographers . . . . .	445 00	
Miscellaneous . . . . .	321 00	
	<hr/>	\$ 8,280 00

## Second Circuit Court:

Pay of Grand Jurors . . . . .	\$ 157 75	
Pay of Trial Jurors . . . . .	824 75	
Regular Bailiff . . . . .	250 00	
Extra Interpreters . . . . .	365 00	
Extra Stenographers . . . . .	249 00	
Miscellaneous . . . . .	84 90	
	<hr/>	\$ 1,931 40

## Third Circuit Court:

Regular Bailiff . . . . .	\$ 200 00	
Extra Stenographer . . . . .	10 00	
Miscellaneous . . . . .	60 00	
	<hr/>	\$ 270 00

## Fourth Circuit Court:

Miscellaneous . . . . .	\$ 345 25	
	<hr/>	\$ 342 25

## Fifth Circuit:

Pay of Grand Jurors . . . . .	\$ 130 00	
Pay of Trial Jurors . . . . .	507 00	
Extra Clerical Assistance . . . . .	65 35	
Extra Interpreters . . . . .	291 25	
Miscellaneous . . . . .	32 25	
	<hr/>	\$ 1,026 85

Amounting to . . . . .	\$ 12,061 30
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and hand you herewith a letter of the Hon. W. F. Frear, which is self explanatory.

See Exhibit "A".

## NO. 2 TREASURY DEPARTMENT.

These items amounting to \$2,241.17 we recommend be inserted in the appropriation as per detailed list in the Governor's Message.

## DEPARTMENT OF PUBLIC WORKS.

We make herewith special report upon the following items:

Hutchinson Sugar Co. . . . .	\$369 39
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This claim we find to be for repairs to Honoapu Wharf and is for labor and material furnished by the Hutchinson Sugar Co. from Apr. 1899 to Dec. 31, 1901, and that the bills are ap-



proved by the present Assistant Superintendent of Public Works. We learn that regarding this claim there has been in existence for years an unwritten agreement or understanding whereby the repairs to this wharf have been paid equally by the Government, the Hutchinson Sugar Co. and the Inter-Island Steam Navigation Co. This wharf is freely used by the public and is in charge of the proper officials and the agreement here referred to appears to be an equitable one. The charge for some of the material used in repairing this wharf appears to your committee to be more than it should be, lumber being charged at a rate as high as \$45 per M feet. We recommend inserting in place of this amount the sum of.....\$123 13, being 1-3 the amount in the original bill.

Olaa Sugar Co. . . . . \$5,000 00

We hand you herewith marked Exhibit "B" the report of the expert accountant, and recommend the payment of this amount.

Hawi Mill Co. . . . . \$5,000 00

Explanation of this item is also included in the Accountant's Report under Exhibit "B". Your committee are strongly of the opinion that this item should not be allowed. The local road held this claim two years before giving its approval and we are informed by one of the members of the Board that his approval was then given on the urgent recommendation of the Superintendent of Public Works. From a member of the Road Board and from other sources we learn that the road in question is practically a private roadway and we do not believe that the Territory should give any recognition to this claim.

Dredging Honolulu Harbor, H. Hackfeld & Co. . \$9,481 73

We hand you herewith a very complete report made up by the expert accountant, marked Exhibit "D": This report enters into the details very clearly and shows methods which will be touched upon more fully in the report upon the Hackfeld wharf. We recommend the payment of this amount.

Roads and Bridges, 4th District.

H. Hackfeld & Co. Ltd.

For labor and material for wharf.....\$108,794 97

Interest at 6% for one year..... 6,228 25

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\$115,023 22

We call especial attention to the report of the expert accountant on the subject of the item of \$115,023.22 for the construction of the Hackfeld Wharf in Honolulu Harbor. We reluctantly recommend the payment of this claim upon the ground that refusal to pay the same would have the appearance of repudiation on the part of the Territory and injure its credit. In this transaction the credit of the Territory was pledged for a large

sum of money in a wholly irregular manner and entirely without warrant of law. The entire amount of this work was done under the authority of a letter from the then Superintendent of Public Works. We cannot too severely condemn the methods and operations by which claims against the Territory can be permitted to accrue to such a large amount and in such a manner. The precedent established is an extremely dangerous one, for, if public officials without warrant of law, can pledge the credit of the Territory for such a large amount as here involved, there is no limit to the amount of debt that can be incurred by officials acting without proper authority. We call your attention to that part of the Expert's report showing a profit to the contractors of \$13,877.09 for commissions received on labor and material. We feel that we must recommend that this claim be liquidated for the reason that the wharf was actually built and is now in use and that, while material was furnished and labor performed in good faith, the law should make it impossible for any re-occurrence of this kind. We, therefore, make recommendation that the amount of \$115,023.22 be inserted in the bill for the purpose, the same to be paid H. Hackfeld & Co., Ltd., upon their relinquishing all claims to said wharf, particularly that claim to a prior right of loading and discharging vessels mentioned in clause 4 of Contract dated September 19th, A. D. 1901.

Your Committee finds irregularity in the small item of \$57.50 for C. H. Dickerson and has reduced the same to \$25.00. This service, we understand, was attendance at an auction sale and purchase of mules under instructions of the then Superintendent of Public Works. A fee of 5% commission is asked for, but the bill is reduced as being in our opinion unreasonable and out of proportion to the services performed.

#### Hamakua Forest Fires.

See Exhibit "C" Report of Expert Accountant.

One of the expert findings with this report is on the subject of the claims for fighting the "Hamakua Forest Fires." Your committee believes that there was extravagant expenditure of money here and that the claimants were protecting their own properties fully as much as they were engaged in saving forest on public lands. The money which the committee recommends be appropriated, however, was pledged by the then Superintendent of Public Works acting under the orders of the Executive Council and the services were performed in good faith. Were not this the fact your committee would not, so far as it is concerned, entertain any of these claims. We have stricken out the item of \$875.20 interest and the items Ookalā Plantation horse hire and personal services \$200 and Kukalāu Plantation for similar services, \$300. We feel that the Territory is morally bound to recognize and pay the other claims.

The other items not particularly mentioned by us contained in the Governor's Message under the Department of Public Works we recommend be paid.

#### DEPARTMENT OF PUBLIC INSTRUCTION.

Your committee finds that the Unpaid Bills of the Department of Public Instruction have been properly incurred. But that in the item of the Oahu Sugar Company, rent of school building, erected by the company on public land, the charge should be reduced to one-half of the amount or.....\$63 The original bill of \$126 would be equivalent to 24% on the cost of the building, which we are informed was \$1,100. We recommend that the Territory purchase this and other school buildings now being rented. This, in our opinion, should be done in the interests of economy, and sound business methods.

#### BOARD OF HEALTH.

In the Board of Health items there was found one of \$57. This is a clerical error, and the amount should be 57 cents. With this correction we recommend the payment of the bills included under that Department.

Under Roads and Bridges, Fourth District:

J. J. Belser, contract .....\$5,549 20

Upon investigation made by your committee and by the expert accountant we find that this contract was entered into between the Superintendent of Public Works after being regularly advertised. The labor was performed for widening and filling in the Waikiki Road and was, in the opinion of the Committee, made necessary by the Honolulu Rapid Transit and Land Company's line to Waikiki. This Company we are informed have already paid, of this amount the sum of \$2,025.30 and an additional amount of \$128.78 not included in the amount now asked for of \$5,549.20. Your Committee have decided not to recommend the payment of this amount, neither do they strike it out, but refer the item to the Senate with all the facts and correspondence connected therewith for your approval or rejection.

Item Road Board Pay Rolls .....\$2,337 85

These are the items abstracted from the Office of the Superintendent of Public Works and were reported upon by your committee in a prior report, when the report of the expert accountant of March 17th was read.

We now beg to hand you a bill to appropriate the sum due the several Road Boards to make good this defalcation and recommend that the same pass.

Before closing this report we wish to call attention of the Senate that the details, contracts, correspondence, etc., apper-

taining to these bills are on file in the Office of the Superintendent of Public Works, and that the same are at the disposal of the Senate in disposing of these bills.

Respectfully submitted,

J. D. PARIS,  
L. L. McCANDLESS,  
L. NAKAPAAHU,  
Committee.

Senator J. T. Brown moved that the report of the Committee be referred to the Printing Committee for translation and typewriting. Seconded by Senator C. Brown and carried.

Senator Paris introduced a bill entitled "An Act making Special Appropriations for the Departmental Use of the Territory to Pay the Unpaid Bills up to the First Day of July, A. D. 1903."

Senator Achi moved that the bill pass first reading. Seconded by Senator Dickey and carried.

Senator Paris introduced a bill entitled "An Act Appropriating Money for the Reimbursement of Certain Road Funds."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Achi and carried.

Senator Baldwin gave notice of intention to introduce a bill entitled "An Act to Regulate the Practice of Pharmacy and the Selling, Compounding and Dispensing of Drugs, Chemicals and Poisons in the Territory of Hawaii."

Under suspension of the rules Senator Baldwin introduced a bill entitled "An Act to Regulate the Practice of Pharmacy and the Selling, Compounding and Dispensing of Drugs, Chemicals and Poisons in the Territory of Hawaii."

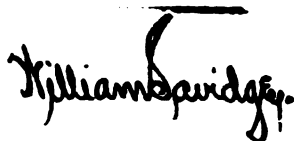
Senator Baldwin moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator J. T. Brown and carried.

Senator Achi gave notice of intention to introduce a bill entitled "An Act to Amend Act 45 of the Session Laws of 1898, entitled 'An Act Relating to Corporations and Incorporated Companies organized under the Laws of Foreign Countries and carrying on business in this Republic; repealing Chapter XXXVI. of the Session Laws of 1880, and Chapter XXXVII. of the Session Laws of 1882 relating thereto,' and Chapter XI. of the Session Laws of 1878, entitled 'An Act Providing for Service of Process on Foreign Corporations,' and to add thereto new Sections 2a and 2b providing for a license on Certain Foreign Corporations."

Under suspension of the rules Senator Achi introduced a bill entitled "An Act to Amend Act 45 of the Session Laws of 1898, entitled 'An Act Relating to Corporations and Incorporated Companies organized under the Laws of Foreign Countries and carrying on business in this Republic, repealing Chapter XXXVI. of the Session Laws of 1880 and Chapter XXXVII. of the Session Laws of 1882, relating thereto, and Chapter XI. of the Session Laws of 1878, entitled 'An Act providing for Service of Process on Foreign Corporations,' and to add thereto new Sections 2a and 2b, providing for a license on Certain Foreign Corporations."

Senator Achi moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator J. T. Brown and carried.

At 11:40 o'clock Senator Achi moved to adjourn until 10 o'clock on Monday. Seconded by Senator J. T. Brown and carried.



Clerk of the Senate.



Approved by the Senate:

President of the Senate.

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FORTY-FIRST DAY.

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Monday, April 6th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Baldwin, C. Brown and Kaohi absent.

The Journal of the Fortieth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kalaokalani, approved as read.

Senator Kalauokalani presented a petition praying for appropriations for the maintenance of the Kunawai Spring.

Senator J. T. Brown moved that the petition be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Kalauokalani and carried.

Senator Dickey presented a petition from parents of children attending the Huelo Government School asking for an appropriation for building a new school house.

Senator J. T. Brown moved that the petition be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Kalauokalani and carried.

Senator Dickey presented a petition praying that Senate Bill No. 80 be taken from the table and passed.

Senator Isenberg moved that the petition be received and placed on file. Seconded by Senator McCandless and carried.

Senator Isenberg presented a petition praying for an appropriation for the Associated Charities.

Senator Baldwin moved that the petition be referred to the Committee on Miscellaneous Petitions. Seconded by Senator Wilcox and carried.

Senator Dickey presented five petitions all praying that Senate Bill No. 80 be taken off the table and passed.

Senator Isenberg moved that the petitions be received and placed on file. Seconded by Senator Achi and carried.

Senator C. Brown presented a petition from Henry N. Almy praying that he be reimbursed for money paid for the Waikiki Inn Liquor License.

The petition was referred to the Committee on Ways and Means.

The President here called the Vice-President to the Chair.

Senator Crabbe presented a petition from the Hon. John Adams Cummins praying that he be reimbursed for fine paid for the offence of misprison of treason in the year 1895.

The petition was referred to the Committee on Ways and Means.

Senator C. Brown moved that the communication relating to the amendments by the House to Senate Bill No. 66 be taken off the table. Seconded by Senator Isenberg and carried.

Senator C. Brown moved that the Senate does not concur in the amendments by the House to Senate Bill No. 66. Seconded by Senator Isenberg and carried.

Senator Isenberg introduced a resolution asking for an appropriation for repairing the Court House at Hauula, as follows:

## RESOLUTION.

Be it Resolved, That the sum of Four Hundred Dollars (\$400.00) be put into the Appropriation Bill for repairing the Court House at Hauula.

D. PAUL R. ISENBERG,  
Senator 3rd District.

Senator Baldwin moved that the resolution be laid on the table to be considered with the Appropriation Bill. Seconded by Senator McCandless and carried.

Senator C. Brown gave notice of intention to introduce a bill entitled "An Act to Provide for a Digest of the Hawaiian Supreme Court Reports."

Senator Achi moved to take up for reconsideration the report of the Special Conference Committee on House Bill No. 70. Seconded by Senator C. Brown and carried.

Senator Crabbe offered a resolution asking for an appropriation of \$10,000.00 for the repair and macadamizing of Kinau St., as follows:

## RESOLUTION.

Be it Resolved that the sum of Ten Thousand Dollars (\$10,000.00) be inserted in the Appropriation Bill for the repair and macadamizing of Kinau Street.

C. L. CRABBE,  
Senator 3rd District.

Senator Crabbe moved that the resolution be laid on the table to be taken up with the Appropriation Bill. Seconded by Senator McCandless and carried.

Senator Crabbe gave notice of intention to introduce a bill entitled "An Act to Amend Section 474 of the Civil Code of 1859 Relating to the Appointment of a Registrar of Public Accounts, and to Provide for the Appointment of a Deputy Registrar of Public Accounts."

Under suspension of the rules Senator Crabbe introduced a bill entitled "An Act to Amend Section 474 of the Civil Code of 1859 Relating to the Appointment of a Registrar of Public Accounts, and to Provide for the Appointment of a Deputy Registrar of Public Accounts."

Senator Crabbe moved that the bill pass first reading and be referred to the Printing Committee for printing. Seconded by Senator McCandless and carried.

Senator Baldwin gave notice of intention to introduce a bill entitled "An Act Authorizing Foreclosure and Sale to enforce the Lien of Shipping Companies and other Common Carriers."

Under suspension of the rules Senator Baldwin introduced a bill entitled "An Act Authorizing Foreclosure and Sale to enforce the Lien of Shipping Companies and other Common Carriers."

Senator Baldwin moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator McCandless and carried.

Third Reading of Senate Bill No. 45, entitled "An Act to Authorize E. C. Winston, his Associates and Assigns to Construct, Maintain and Operate a Railroad in Certain Districts in the Island of Oahu, in the Territory of Hawaii," continued.

The motion of Senator C. Brown to adopt the report of the committee was then carried on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, J. T. Brown, Dickey, Isenberg, Kaiue, Nakapaahu, Paris, Wilcox and Woods—10.

Noes: Senators Achi, Crabbe, Kalauokalani, Kaohi and McCandless—5.

Senator McCandless moved that the bill be laid on the table. Seconded by Senator Achi and carried.

At 12:15 o'clock Senator McCandless moved to take a recess until 2 o'clock. Seconded by Senator Achi and carried.

#### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Senator C. Brown for the Printing Committee reported the report of the Committee on the Message of the Governor relating to Unpaid Bills, translated and typewritten.

Second Reading of Senate Bill No. 46, entitled "An Act to amend Section 14 of Chapter 23 of the Session Laws of 1884 also being Section 2070 of the Civil Laws of the Territory of Hawaii as set forth in a compilation made by Sidney M. Ballou."

Senator C. Brown moved to consider the bill Section by Section. Seconded by Senator Dickey and carried.

Section 1. Senator Dickey moved to strike out the Section. Seconded by Senator C. Brown and carried.

Section 2. Senator C. Brown moved to strike out the words "But no such corporation shall hold the possession of any real estate under mortgage or the title and possession of any real



estate purchased to secure any debts due to it for a longer period than five years." Seconded by Senator Achi and carried.

Senator Dickey moved to amend by striking out all between the words "to receive" in line 36 to the words "of trusts" in line 48. Seconded by Senator Paris and lost.

Senator C. Brown moved to insert the words "real and" before the words "personal property" in line 29. Seconded by Senator Achi and carried.

Senator C. Brown moved to add at the end of the Section the words "The corporation shall not undertake or be employed in any commercial, agricultural, manufacturing or common carrier business; and its right to hold and dispose of property acquired from securities or in payment of debts shall not be construed to authorize the Bank to undertake, engage in, or carry on any such business as last above mentioned." Seconded by Senator Woods and carried.

Section 3. Renumbered Section 2 and passed as in the Bill.

Section 4. Renumbered Section 3 and passed as in the Bill.

Senator C. Brown moved that the title be amended so as to read "An Act to Amend Section 26 of Chapter 23 of the Session Laws of 1884, Section 2070 of the Civil Laws." Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Woods and carried.

Senator C. Brown moved that the bill be read third time on Wednesday, the 8th.

Third Reading of Senate Bill No. 111, entitled "An Act to Provide against the Adulteration of Food and Drugs."

Senator Achi moved to amend by inserting 5 before Section, 11. Seconded by Senator C. Brown and carried.

Senator Paris moved to amend Section 5 line 3 by inserting the word "two" in place of the word "one" and the word "ten" in place of the words "twenty-five." Seconded by Senator Dickey and carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Second Reading of Senate Bill No. 125, entitled "An Act Relating to the Settling, Allowing and Signing of Decrees and Exceptions in Certain Cases." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 135, entitled "An Act to Reorganize and Regulate the Militia of the Territory of Hawaii." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 159, entitled "An Act for the Protection of Life and Property against Explosives, and to amend Chapter 89 of the Penal Code of 1869, Section 1, 2, 3, 3a, 4, 5, 6, 7, 8 and 9 thereof and to add new Sections thereto to be known as Sections 10, 11, 12 and 13." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 160, entitled "An Act to Provide for the Safe-guarding of Electrical Installation." Referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Second Reading of Senate Bill No. 137, entitled "An Act amending a portion of the law relating to the Construction, Maintenance and Operation of a Street Railway in the District of Honolulu." Referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 138, entitled "An Act amending and repealing certain laws relative to Liquid Explosives." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 139, entitled "An Act repealing Section 1 of Act 9 of the Provisional Government, relating to the Inspection of Explosive Substances." Referred to the Committee on Miscellaneous Petitions.

Third Reading of Senate Bill No. 118, entitled "An Act relating to Partnerships, amending Section 4 of Chapter LXX. of the Session Laws of 1886 and repealing Section 2 of Chapter XXVII. of the Session Laws of 1890."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Third Reading of Senate Bill No. 121, entitled "An Act to Provide for the Publication of One Volume of the Reports of the Decisions of the United States District Court for the Territory of Hawaii."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Third Reading of Senate Bill No. 133, entitled "An Act to Provide for the Appointment of a Commission to inquire into and pass upon and determine the claims or demands of certain persons for damages resulting from alleged illegal imprisonment in the years 1895 and 1896."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

Noes: Senators Kalauokalani and Kaohi—2.

Third Reading of Senate Bill No. 110, entitled "An Act to Amend Act 51 of the Session Laws of 1896, entitled 'An Act relating to Internal Taxes and to repeal Chapter 61 of the Session Laws of 1892 relative thereto,' approved June 3rd, 1896, and to repeal Section 18 thereof."

Senator Dickey moved to strike out Sections 2 and 3. Seconded by Senator Baldwin and carried.

Senator C. Brown moved to strike out Section 4. Seconded by Senator Baldwin and carried.

Senator Baldwin moved that the bill be referred back to the Engrossing Committee for re-engrossing. Seconded by Senator Dickey and carried.

Third Reading of Senate Bill No. 140, entitled "An Act Relating to the Quarantine of Animals, amending Certain laws upon that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris and Woods—14.

Noes: None.

Not Present: Senator Wilcox—1.

Third Reading of Senate Bill No. 142, entitled "An Act Relating to the Inspection, Testing, Storage and Sale of Kerosene Oil, amending Sections 2, 5, 6 and 7 of Chapter LXVIII. of the Laws of 1890 (Penal Laws, Sections 1518, 1521, 1522, 1523)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Third Reading of Senate Bill No. 148, entitled "An Act Relating to the Hilo Fire Department, amending Sections 2, 10 and 19 of Chapter LXXXVI. of the Laws of 1892 (Penal Laws, Sections 1053, 1062, 1072)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Third Reading of Senate Bill No. 151, entitled "An Act to repeal Act 35 of the Laws of 1898 relating to the Importation of Foreign Goods marked as if Hawaiian."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Third Reading of Senate Bill No. 152, entitled "An Act Relating to the Protection of Birds, repealing Section 3 of Chapter LXXXV. of the Penal Code (as amended by Section 1 of Chapter XIII. of the Session Laws of 1870) and Chapter XII. of the Session Laws of 1892."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

First Reading of House Bill No. 157, entitled "An Act to Provide for the Acquisition by the Territory of Hawaii of the Kaaikahi and Kahuawai Springs of Panoa Valley and the waters thereof."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Dickey and carried.

Under suspension of the rules Senator McCandless offered the following Joint Resolution establishing a limit of Bond Issue during the ensuing biennial period:

#### JOINT RESOLUTION.

#### ESTABLISHING A LIMIT OF BOND ISSUE DURING THE ENSUING BIENNIAL PERIOD.

Be it Resolved by the Legislature of the Territory of Hawaii:  
Section 1. That the total amount of debt to be contracted

by the Territory of Hawaii or on its behalf by the issue or sale of Bonds during the ensuing biennial period shall be limited to the sum of One Million Dollars (\$1,000,000.00).

L. L. M'CANDLESS,  
Senator 3rd District.

Senator Achi moved that the resolution be laid on the table. Seconded by Senator Isenberg and carried on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: Senator McCandless—1.

At 4:20 o'clock Senator Achi moved to adjourn. Seconded by Senator Baldwin and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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FORTY-SECOND DAY.

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Tuesday, April 7th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Baldwin and C. Brown absent.

The Journal of the Forty-first Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Nakapaahu, approved as read.

A communication from the House of Representatives transmitting House Bill No. 64 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 6th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill No. 64, entitled "An Act Creating the City and County of Honolulu, and Providing for the Government thereof," which duly passed its Third Reading in the House of Representatives on the 4th day of April, A. D. 1903.

Respectfully submitted,

SOLOMON MEHEULA,  
Clerk.

Senator Achi moved that the bill be read first time by title. Seconded by Senator Kalaauokalani and carried.

First Reading of House Bill No. 64, entitled "An Act Creating the City and County of Honolulu, and Providing for the Government thereof."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Kalaauokalani and carried.

A communication from the House of Representatives transmitting House Bill No. 83 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, Territory of Hawaii, April 7th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith transmit House Bill No. 83, entitled "An Act to Provide for a Right of Action for Damages for Death caused by Wrongful Act, Neglect or Default," which passed its Third Reading in the House of Representatives, Territory of Hawaii, on the 6th day of April, A. D. 1903.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

Senator C. Brown moved that the bill be read first time by title. Seconded by Senator Achi and carried.

First Reading of House Bill No. 83, entitled "An Act to Provide for a Right of Action for Damages for Death caused by Wrongful Act, Neglect or Default."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Achi and carried.

A memorial from the Honolulu Trades and Labor Council praying that the Senate pass the so-called Hack Men's Bill was read by the clerk.

Senator C. Brown moved that the memorial be referred to the Committee on Ways and Means. Seconded by Senator Kalaaukalani and carried.

Under suspension of the rules, Senator Woods presented a petition from citizens of Hilo praying that only citizens of the United States be employed on public works of this Territory.

Senator C. Brown moved that the petition be laid on the table to be considered with any bill introduced on that subject. Seconded by Senator Woods and carried.

A communication from the Secretary of the Territory, informing the Senate that the Governor had signed Act 22, was read by the clerk as follows:

Territory of Hawaii,  
Office of the Secretary,  
Honolulu, H. I., April 7, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Act on the 6th instant:

"Act 22. An Act Relating to Divorce, Separation and Annulment of Marriage."

Respectfully yours,

G. R. CARTER,  
Secretary of the Territory.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 141 and 155 printed and ready for distribution.

Senator Wilcox for the Committee on Health and Education reported on Senate Bill No. 136 as follows:

Honolulu, T. H., April 7, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Health and Education, to which was referred Senate Bill No. 136, entitled "An Act to Provide for a High School in Hilo, Island and Territory of Hawaii,

under the Department of Public Instruction of the Territory," have had the same under consideration. The Superintendent of Public Instruction is of the opinion that there may be enough pupils on the Island of Hawaii to warrant the establishment of such a school. Section 6 of this Act provides for the appropriation of \$25,000 for the establishment and maintenance of said High School for the next biennial period.

Your Committee finds on investigation that this is a larger sum than is necessary, and that a four room school house with fittings can be built for \$6,000. Five special teachers would cost for two years, \$12,000, being a total of \$18,000. Your Committee would recommend that an item of \$6,000 for School House and fittings be inserted in the Loan Act, and an item of \$12,000 for "Teachers' Salaries" in the Appropriation.

With this change your committee recommend that the Act pass.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS,  
H. P. BALDWIN.

Senator J. T. Brown moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Senator J. T. Brown moved that the bill be read third time on Thursday, the 9th. Seconded by Senator Paris and carried.

Senator Wilcox for the same committee reported on the resolution asking for certain appropriations for school houses on Maui, as follows:

Honolulu, T. H., April 7, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Health and Education, to which was referred a resolution asking that certain sums for school houses on Maui be inserted in the Loan or Appropriation Bill, have had the same under consideration.

Your Committee recommend the addition to the Teachers' Cottage, Keokea, Kula, Makawao, \$300, New School Room with addition, Kealahou, Kula, \$800, Purchase of land and buildings, Kealahou, Kula, \$250, One Room School House, Peahi, Hamakualoa, Maui, \$600.

Your committee recommend that the item for general repair and improvements for all schools in Makawao for two years, \$1,200, be stricken out entirely, as the Superintendent of Public Instruction has, in his estimates, an item of \$30,000 for general



repairs and improvements, which covers this item. All the other items in this resolution are covered by the estimates of the Superintendent of Public Instruction, and have already had the consideration of the Senate.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS,  
H. P. BALDWIN.

Senator Achi moved that the report be laid on the table to be considered with the Loan Bill. Seconded by Senator Wilcox and carried.

Senator Wilcox for the same committee reported on resolution asking for an appropriation for sewers at Kalihi, as follows:

Honolulu, T. H., April 7, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Health and Education, to which was referred a resolution by Senator Achi that the sum of \$20,000 be inserted in the Loan Bill for a sewer at Kalihi near Kamehameha Schools have had the same under consideration. Your committee find that the building of a sewer in this locality will be a great benefit, as far as health is concerned, to the people of that locality. The Assistant Superintendent of Public Works has made estimates of the cost and reports that it will take about \$21,443.20. Your committee finds that the Trustees of Kamehameha Schools are willing to bear part of the expense of constructing said sewer. Your committee would recommend that the sum of \$12,000 be inserted in the Loan Bill, provided the Trustees of the Kamehameha Schools will pay the balance of the expense for constructing said sewer.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS,  
H. P. BALDWIN.

Senator C. Brown moved that the report of the committee be laid on the table to be considered with the Loan Bill. Seconded by Senator Wilcox and carried.

A communication from the House of Representatives announcing that Senate Bill No. 23 had passed third reading was read by the Clerk, as follows:

Honolulu, H. T., April 6th, 1903.

To the Hon. President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith return Senate Bill No. 23, entitled "An Act to authorize W. W. Dimond, his Associates, Successors and Assigns to Manufacture and Supply Fuel and Illuminating Gas and its by-products in Honolulu," which passed its Third Reading in the House of Representatives, Territory of Hawaii, this 6th day of April, A. D. 1903.

SOLOMON MEHEULA,  
Clerk House of Representatives.

Senator Paris moved that the communication be received and placed on file. Seconded by Senator Dickey and carried.

Senator Paris for the Ways and Means Committee reported on resolution asking for an appropriation to reimburse the Hawaiian Fertilizer Company for moneys unlawfully collected, as follows:

Honolulu, April 6, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to which was referred the following:

#### RESOLUTION.

That the following named sum of money, to wit, One thousand nine hundred and twenty-eight and 36-100 dollars (\$1,928.36) with interest at 6 per cent. from June 27, 1900, be inserted in the Appropriation Bill for the purpose of reimbursing the Hawaiian Fertilizer Company, Limited, for moneys unlawfully collected from said Company as taxes.

(Sgd.) CLARENCE L. CRABBE,  
Senator 3rd District.

March 21, 1903.

Beg to report that after careful investigation we find this amount was collected for a mercantile license and that with the exception of \$152 (one hundred and fifty-two dollars) was un-

lawfully collected. We, therefore, recommend that the amount of \$1776.36 without interest be inserted in the Appropriation Bill for the purpose of reimbursing the Hawaiian Fertilizing Company, Limited, for moneys unlawfully collected from said Company as Licenses.

Respectfully submitted,

J. D. PARIS,

S. E. KAIUE,

.....  
Committee.

Senator Paris moved that the report of the committee be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Achi and carried.

Senator Dickey moved that the action taken on the report of the Committee on Senate Bill No. 136 be reconsidered. Seconded by Senator C. Brown and carried.

Senator Dickey moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Paris and carried.

Senator C. Brown introduced a bill entitled "An Act to Provide for a Digest of the Hawaiian Supreme Court Reports."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

Third Reading of Senate Bill No. 35, entitled "An Act Defining the Sanitary District of Honolulu and Establishing Rules and Regulations for the Plumbing and Drainage of Buildings and the Construction of House Sewers in said District."

The President here called the Vice-President to the Chair.

Senator Isenberg moved to amend Section 7 by striking out the words "Inspector of Plumbing and Sewers as herein provided" at the end of the Section and insert "Superintendent of Public Works or his authorized assistant." Seconded by Senator Dickey and carried.

Senator Achi moved to refer the bill back to the Committee. Seconded by Senator Kalauokalani and lost.

Senator Isenberg moved to amend Section 9 by striking out the words "Inspector of Plumbing and Sewers" and inserting the words "Superintendent of Public Works." Seconded by Senator C. Brown and carried.

Senator Isenberg moved to amend Section 12 by striking out the words "and Sewers" after the word "Plumbing." Seconded by Senator Dickey and carried.

Senator Achi moved to amend Section 12 by striking out "\$300.00" and inserting "\$200.00." Seconded by Senator C. Brown.

Senator Isenberg moved as an amendment to strike out the words "Provided that the expense of the same shall be more than \$300.00." Seconded by Senator Woods and lost.

The motion of Senator Achi to amend to "\$200.00" then carried.

Senator Isenberg moved to amend Section 27 by adding the words "except in traps of bath tubs over finished ceilings." Seconded by Senator C. Brown and carried.

Senator Isenberg moved to amend Section 31 by inserting after the word "outlet" the words "and inlet." Seconded by Senator Crabbe and carried.

Senator Isenberg moved to amend Section 33 by inserting the words "three feet" in place of the words "six feet." Seconded by Senator Crabbe and carried.

Senator Isenberg moved to amend Section 51 by striking out the words "acts from" in line 2 and inserting the words "plumbing of." Seconded by Senator Dickey and carried.

Senator Isenberg moved to amend line 3 by inserting the word "plumbing" in place of the word "work." Seconded by Senator Dickey and carried.

Senator Dickey moved to insert Section 55 as in the original bill. Seconded by Senator Kalauokalani and carried.

At 12 o'clock Senator Baldwin moved to take a recess until 2 o'clock. Seconded by Senator Kalauokalani and carried.

#### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock, the Vice-President in the Chair.

Third Reading of Senate Bill No. 35, continued.

Senator Achi moved to amend Section 68 by inserting at the end of the Section the words "not more than two hundred dollars." Seconded by Senator Isenberg and carried.

Senator Isenberg moved to amend Section 73 by striking out the words "with a note explaining the corrections necessary in order to have them comply with the provisions of this Act," and insert the words "for correction." Seconded by Senator Achi and carried.

Senator Isenberg moved to amend the same Section by striking out at the end of the Section all after the words "Board of Health." Seconded by Senator Baldwin and carried.

Senator Achi moved to strike out all of Section 74. Seconded by Senator McCandless and carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, Dickey, Isenberg, McCandless, Paris, Wilcox and Woods—8.

Noes: Senators J. T. Brown, Kaiue, Kalaauokalani, Kaohi and Nakapaahu—5.

Not Present: Senators C. Brown and Crabbe.—2.

Third Reading of Senate Bill No. 131, entitled "An Act Authorizing the Deposit of Public Money in a Designated Depository, and Providing for the Safe-keeping and payment thereof, and to provide security therefor."

Senator Achi moved to amend Section 1 by striking out the words "or any co-partnership or individual" in line 3. Seconded by Senator Isenberg.

Senator Baldwin moved to amend by striking out only the words "or individuals." Senator Achi accepted the amendment, which carried.

Senator C. Brown moved to amend by inserting after the words "Territory of Hawaii" the words "or other security approved by the Governor and Treasurer." Seconded by Senator Woods and carried.

Senator C. Brown moved to amend by inserting in line 20 after the word "bonds" the words "or other security." Seconded by Senator Dickey and carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Crabbe—1.

Third Reading of Senate Bill No. 150, entitled "An Act Relating to the Bonds of Public Officers."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, Nakapaahu, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Crabbe and McCandless—2.

Third Reading of Senate Bill No. 156, entitled "An Act Concerning Corporations."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Dickey, Isenberg, Paris, Wilcox and Woods—9.

Noes: Senators Kaiue, Kalauokalani, Kaohi and Nakapahu—4.

**Not Present:** Senators Crabbe and McCandless—2.

Third Reading of House Bill No. 6, entitled "An Act to Grant Certain Powers to Representatives of Estates of Deceased Persons, to Provide for a Public Administrator and for Distribution of Final Settlement."

The bill passed third reading on the following showing of ayes and noes:

**Ayes:** Senators Baldwin, C. Brown, J. T. Brown, Dickey, Isenberg, Kaïne, Kalauokalani, Kaohi, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: None.

**Not Present: Senators Achi, Crabbe and McCandless—3.**

**Third Reading of House Bill No. 26, entitled "An Act to Amend Section 225, Chapter 26 of the Penal Laws of Hawaii, relating to Lights."**

The bill passed third reading on the following showing of  
ayes and noes:

**Yates:** Senators Baldwin, C. Brown, J. T. Brown, Dickey, Iseberg, Kaiue, Kalauokalani, Kaohi, Nakapaahu, Paris and Woods—11.

Noes : None.

Not Present: Senators Achi, Crabbe, McCandless and Wilcox—4.

Third Reading of House Bill No. 81, entitled "An Act to Amend Chapter LVII. of the Laws of 1892, entitled 'An Act to Reorganize the Judiciary Department,' etc."

The bill passed third reading on the following showing of  
ayes and noes:

**AYES:** Senators Baldwin, C. Brown, J. T. Brown, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: None.

**Not Present: Senators Achi, Crabbe and McCandless—3.**

At 4:15 o'clock Senator J. T. Brown moved to adjourn.  
Seconded by Senator Kaohi and carried.

William Spradger.

Approved by the Senate:

Clerk of the Senate.

Clarence L. Crabbe

President of the Senate.

## FORTY-THIRD DAY.

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Wednesday, April 8th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi and Kalaauokalani absent.

The Journal of the Forty-second Day was read and, upon motion of Senator Kaohi, seconded by Senator J. T. Brown, approved as read.

A communication from the House of Representatives transmitting a Concurrent Resolution relating to the appointment of a conference committee on Senate Bill No. 1 was read by the Clerk, as follows:

Honolulu, H. T., April 7, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith a Concurrent Resolution which this day duly adopted by the House of Representatives, and the following Representatives have been appointed on the said committee referred to in the resolution, namely:

Hon. J. K. Gandall.  
Hon. H. C. Vida.  
Hon. R. W. Aylett.  
Hon. S. Keliinol.  
Hon. H. M. Kaniho.  
Hon. A. Fernandez.  
Hon. W. W. Harris.

Very respectfully,

S. MEHEULA,  
Clerk.

## CONCURRENT RESOLUTION.

Resolved by the House of Representatives, the Senate Concurring, that a Joint Committee of fourteen members be appointed, seven members from this House and seven from the Senate to confer on differences between the House and Senate on Senate Bill No. 1 (County Bill).

Senator C. Brown moved that the resolution be adopted. Seconded by Senator Baldwin and carried.

The Chair appointed the following committee: Senators C. Brown, Wilcox, Baldwin, Paris, J. T. Brown, Kalaokalani and Kaiue.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 168 and 169 printed and ready for distribution.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 138, as follows:

Honolulu, T. H., April 8, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred Senate Bill No. 138, has had the same under consideration.

Section 1 repeals Section 2 of Chapter 89 of the Penal Code referring to the importation of Liquid Explosives. This law is now entirely inoperative, as all imports are under the Federal control and no State or Territory has anything to do with the matter. The law being of no further value it is well to remove it from the Statute Book.

Section 2 amends the Law of 1878 by eliminating the words "import into this Kingdom or" for the same reason as in the case of repeal covered by Section 1.

Your Committee recommends the passage of the Act, with the following amendments:

Section 2, Line 2, insert after the word "to" the words "make the second paragraph of said Section." Also insert at the beginning of line 3 the words "Section 3a." Also in line 12 strike out the words "before a District Magistrate."

Respectfully submitted,

C. H. DICKBY, Chairman.

D. PAUL R. ISENBERG,

S. E. KAIUE.

Senator Dickey moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Achi and carried.

Senator Dickey for the same committee reported on Senate Bill No. 139 as follows:



Honolulu, T. H., April 8th, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions reports as follows on Senate Bill No. 139:

The Act is offered for the purpose of repealing a law passed by the Provisional Government to prevent the importation of Arms, Ammunition, Dynamite, etc. The law is rendered in-operative by the Organic Act.

Your Committee recommends the passage of the Act, with the following amendments:

The title to read: "An Act repealing Act 9 of the Provisional Government Relating to the Importation of Fire-Arms, Ammunition and Explosive Substances."

Section 1, Line 1, strike out the words "Section 1 of."

Respectfully submitted,

C. H. DICKEY,  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Dickey and carried.

Senator Baldwin for the Committee on Ways and Means reported on Senate Bill No. 137, as follows:

Honolulu, T. H., April 8, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Bill No. 137, entitled "An Act Amending a portion of the law relating to the Construction, Maintenance and Operation of a Street Railway in the District of Honolulu," begs leave to report.

The Bill provides that the property of a railway Company in the District of Honolulu shall not be taxed while the railway is being constructed, but as fast as the railway is completed and equipped, the completed portions shall become liable to taxation.

Your Committee see no good reason for granting this special privilege to Honolulu, and not to other Districts on the Islands. All city railway Companies that have been inaugurated in this

country have first obtained a special franchise from the Legislature, granting privileges according to the necessities of the same, and your committee considers it unnecessary to pass a general Act providing a special privilege as called for in this Bill.

We recommend that the bill be laid on the table.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator C. Brown moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Isenberg and carried.

Senator Baldwin for the same committee reported on Senate Bill No. 157, as follows:

Honolulu, T. H., April 8th, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Bill No. 157, entitled "An Act Relating to the Exemption of Taxes of the Pacific Heights Railway Co., Limited," begs leave to report that we have had the same under careful consideration.

The object of the bill is to exempt from taxation for the period of five years, all railway property of said Company, necessary for the maintenance and operation of the road.

Your Committee, on investigation, find that the above Railway Company is in need of assistance, and believing that it is in the public interest that this railway be maintained and kept up, we recommend the passage of the bill.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Achi moved that the report be laid on the table to be considered with the bill. Seconded by Senator C. Brown and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on various petitions relating to public improvements, as follows:

Senate Chamber,  
Honolulu, T. H., April 6th, 1903.

HONORABLE CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Standing Committee on Public Works, Internal Improvements, Agriculture, etc., beg leave to report upon a number of resolutions and petitions, as follows:

Petition with fifty-six signatures for an appropriation of \$10,000.00 "for the purpose of re-grading and constructing a six foot trail from Ulupalakua, Maui to Kaupo, Maui." It is represented that but \$500 have been expended on this road or trail during the past twenty-five years. Your committee would strongly recommend that the sum of \$5,000.00 be appropriated for the improvement of this important road.

Petition with thirty-five names for the construction of a road from the 22 mile post on the Volcano Road, Island of Hawaii, to the New Olaa tract occupied by the Russian settlers. An appropriation of \$10,000 was made by the last Legislature for this work, but the work has not been undertaken. It is stated that the sum of \$25,000 could be advantageously used, but as the whole road is only 10,000 feet in length, your committee would recommend that \$5,000 be given for the road, which would be of great benefit to and greatly encourage these industrious settlers.

Petition with thirty-six signatures asking for an appropriation of \$1,000 for a road in South Hilo, from Kaumana Road to Lots 15 and 17, a distance of half a mile. Your committee endorses this petition.

Petition with 35 signatures for the appropriation of \$47,000 for various improvements in the District of Kaupo, Maui. There are nine items, all of which we believe should be scaled down materially, with the exception of \$2,100 for two buildings for school purposes.

Petition with 200 names for the appropriation of \$20,000 repairing and extending the main road from Kahului to Iao Valley, Island of Maui. We believe \$6,000 would be ample for this purpose.

Petition with 53 signatures asking for \$2,000 for repairing the Government Road from Pololu to Honokane, North Kohala, Hawaii. It is represented that this improvement would be of great benefit to a number of farmers, and your committee believes that at least \$1,000 should be provided for the work proposed.

Petition of a mass meeting of the citizens of Wailuku, Maui, asking for \$133,350 for public improvements in that locality. Many of the items herein are already before the Legislature in current or loan appropriation bills, and have received committee consideration. As to other items, your committee is unable from lack of time to secure exact information, and it leaves it to the Maui members to enlighten the Senate upon them.

Petition from 43 citizens of Kau District, Island of Hawaii, for \$63,000 for road improvements, school houses, court house and rock crusher. Your committee recommends the item of \$1,500 for court house, and finds the other items in the hands of other committees.

Petition from 76 residents of Kalihi, Honolulu, Oahu, asking for government street lights for their neighborhood. These lights are needed, and your committee urges that they be provided.

Resolution for \$79,000 for extensive public improvements in the District of North Kona, Island of Hawaii. Your committee finds all of these items already in bills, excepting \$20,000 for wharf at Kealahakua Bay, and does not believe the Territory can at the present time enter upon the construction of this wharf. The other items are approved.

Resolution for \$1,000 in the Loan Bill for a road from Pololu to Honokane, North Kohala. This item is covered in a report above on a petition on the same subject.

Resolution carrying an estimate of \$351,570 for the construction, repair and building of streets and road at and near Hilo, Island of Hawaii. Hilo is a growing town and nearly all of these improvements are needed. Your committee can only recommend, in view of the fact that many of the items are already before the Legislature, that there be liberal dealing with Hilo, and that the needs to be first met be decided by the Superintendent of Public Works and the Road Board.

Resolution for \$40,000 for the purchase of a burial ground or cemetery tract within four miles of the City of Honolulu. We believe that \$10,000 should be provided for this purpose. There is apparent need of a new cemetery tract near Honolulu.

Resolution for \$5,800 for repair of several roads in the district of Hanalei, Island of Kauai. While but a small amount of money is here involved, your committee recommends that the items, several in number, be referred to the Kauai Senators.

Resolution for \$35,000 for extension of Queen Street, Honolulu. This item is already in the Loan Bill.

Resolution for \$10,000 for rebuilding the Upper Kalihi Road, Honolulu, Oahu. We believe that this item should be inserted in the schedule for roads and bridges, fifth district, Island of Oahu. This section of the City has long been neglected in the matter of roads.

Resolution of \$10,000 for the Pali Road, Kona, Oahu. Your committee believes that \$8,000 should be provided for keeping in first class condition this important road.

Resolution for \$5,000 for road to proposed new cemetery in Kalihi, Honolulu, Oahu. Your committee favors this item, conditioned that there is tendered and accepted three acres for cemetery without cost to the Territory.

Resolution for \$4,000 for Water Pipes on Puunui Avenue, and the extension of Liliha Street. Your committee urges that this amount be set aside for the purpose indicated. It will provide additional revenue for the Water Works Department and will be of direct benefit to a large number of tax-payers.

Resolution for \$59,000 for Fort Street extension and improvement of Punchbowl, Kinau, Miller and Kukui Streets. We cannot satisfy ourselves as to the exactness of these estimates, and believe that too much money is asked for. Several of the items are in Loan Bills, and your committee will furnish further information upon the more important ones.

Your committee finally recommends that all of these petitions and resolutions be tabled to be considered with bills upon the subjects referred to in the various documents.

Very respectfully submitted,

L. L. McCANDLESS,  
J. D. PARIS,  
J. B. KAOHI.

Senator C. Brown moved that the report of the committee be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Baldwin and carried.

Senator C. Brown for the Judiciary Committee reported on Senate Bills Nos. 161 and 162, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bills Nos. 161 and 162, relating to gaming and the suppression of gambling, report that they have had same under consideration.

Senate Bill No. 161 amends Section 3 of Act 21 of the Provisional Government (Section 389 of the Penal Laws) and is introduced for the purpose of aiding in its suppression by making the law clear and its provisions applicable to all cases besides that of a lottery.

Senate Bill No. 162 is introduced for the purpose of authorizing the police to enter buildings to suppress gambling when they have reason to suspect that a lottery or gambling game is being carried on without first obtaining a search warrant,

and after demanding an entrance, if refused, the right to enter by force. The introduction of this Act has been made necessary by reason of it having been held by the courts that the police have no right to enter buildings to suppress gambling, unless authorized so to do by search warrant.

We recommend the passage of both bills.

Honolulu, April 7th, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator Baldwin moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bills be read third time tomorrow. Seconded by Senator Dickey and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 125, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 125, report that the bill provides for the settling, allowing and signing of decrees as well as exceptions by a Judge other than the one who tried the case or filed the opinion when by reason of death, resignation, expiration of term of office, or absence or other unforeseen circumstances it is impossible for such Judge to do or perform such acts; and where such acts are merely of a formal nature. This Act was prepared by the Bar Association; we deem it necessary for the practice of law and protection of clients' interests and, therefore, recommend its passage.

Honolulu, April 7, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Wilcox and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Wilcox and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 92, as follows:

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 92, report that they have had the same under consideration. The Bill was prepared and introduced for the purpose of having the law relative to commercial transactions and matters uniform with the rest of the United States, and also to settle the law on disputed points. The Act as introduced has already been adopted by many of the States of the Union, and has given universal satisfaction to the legal profession as well as the merchants.

The Chief Justice on page 37 of his report treats on this subject and strongly recommends the passage of the Act.

This Act was prepared under the supervision of the Bar Association.

We recommend its passage.

Honolulu, April 7, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Wilcox and carried.

Senator C. Brown moved that the bill be read third time on Monday, the 13th. Seconded by Senator Dickey and carried.

Senator McCandless gave notice of intention to introduce a bill entitled "An Act to prevent certain Public Officers from approving vouchers and pay-rolls for services, materials or supplies for the purpose of authorizing, assisting or allowing persons to obtain warrants thereon, drawn upon certain appropriations, funds or deposits, when such Officers know that such services, materials or supplies are rendered or furnished for objects other than those to which such appropriations, funds or deposits appertain."

- Under suspension of the rules Senator McCandless introduced a bill entitled "An Act to prevent certain Public Officers from approving vouchers for services, materials or supplies for the purpose of authorizing, assisting or allowing persons to obtain warrants thereon, drawn upon certain appropriations, funds or deposits, when such officers know that such services, materials or supplies are rendered or furnished for objects other than those to which appropriations, funds or deposits appertain."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator McCandless and carried.

Senator Nakapaahu offered the following resolution asking for various appropriations for roads and bridges on the Island of Kauai:

LEGISLATURE OF THE TERRITORY OF HAWAII.

Be it Resolved by the Senate of the Legislature of the Territory of Hawaii:

That the committee to whom shall be referred the drafting of the Loan or Appropriation Bill be and hereby is instructed to insert therein the following items:

Repairs roads and bridges Kaneohia Gulch to Mahinauli Valley . . . . .	\$ 1,000 00
Repairs roads and bridges Mahinauli Valley to Waimea Bridge . . . . .	500 00
Repairs roads and bridges Waimea to Kekaha Sugar Mill . . . . .	500 00
Repairs roads and bridges Kekaha Sugar Mill to Pihale . . . . .	800 00
Repairs roads and bridges Makai side of Limaloa . . . . .	600 00
Repairs roads and bridges on the Island of Niihau . . . . .	500 00
Repairs roads and bridges on Waimea Main Road from the Court House to Kikiaola Gulch . . . . .	500 00
Repair on Main Road and bridge Waimea River side . . . . .	500 00
Repair road on Makaweli Valley from Manawai to Kaihuki . . . . .	500 00
Repair road on Waimea Valley from Kikiaola Gulch to Haki . . . . .	500 00
For a Steel Bridge, Waimea River . . . . .	20,000 00
Repair road from Mokupapa to Kaawanui on Hanapepe Valley . . . . .	500 00

For the District of Waimea,  
Island of Kauai,

L. NAKAPAAHU,  
Senator 4th District.

Senator J. T. Brown moved that the resolution be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Nakapaahu and carried.

Senator Achi offered a resolution relating to Evening Sessions being held to consider the Appropriation and Loan Bills, as follows:



## RESOLUTION.

Resolved that hereafter Night Sessions of the Senate will be held to consider the Appropriation Bills and Loan Bill until they are finished.

W. C. ACHI,  
Senator 3rd District.

Senator Baldwin moved to amend the resolution by adding "as soon as the County Bill passes both Houses." Senator Achi accepted the amendment, which was adopted.

Second Reading of House Bill No. 157, entitled "An Act to Provide for the Acquisition by the Territory of Hawaii of the Kaaikali and Kahuawai Springs of Paoa Valley and the waters thereof." Referred to the Special Committee on Paoa Water Works.

Second Reading of Senate Bill No. 50, entitled "An Act to Regulate the Practice of Medicine and Surgery in the Territory of Hawaii, and for the Appointment of a Board of Medical Examiners."

Senator Dickey moved to consider the bill Section by Section. Seconded by Senator C. Brown and carried.

Section 1. Senator Achi moved that the Section pass as in the bill. Seconded by Senator McCandless.

Senator Dickey moved as an amendment that the amendments proposed by the committee be adopted. Seconded by Senator Baldwin and carried.

Senator Isenberg moved that the Section pass as amended. Seconded by Senator Baldwin and carried.

Section 2. Senator Dickey moved to amend by striking out the words "on file" in line 12. Seconded by Senator Baldwin and carried.

Senator Dickey moved that the Section pass as amended. Seconded by Senator Baldwin and carried.

The President here called the Vice-President to the Chair.

Senator J. T. Brown moved that the bill be referred back to the committee. Seconded by Senator Crabbe and carried.

Second Reading of Senate Bill No. 83, entitled "An Act making Appropriations for Salaries and Pay-rolls for Six Months from July 1st, A. D. 1903, which will end the Thirty-first Day of December, A. D. 1903."

Senator Achi moved that the bill be considered this afternoon at 2 o'clock. Seconded by Senator J. T. Brown and carried.

At 11:45 o'clock Senator C. Brown moved to take a recess until 2 o'clock. Seconded by Senator J. T. Brown and carried.

## AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

A communication from the Governor of the Territory vetoing the Joint Resolution requesting Congress to amend Section 44 of the Organic Act was read by the Clerk, as follows:

Executive Chamber,  
Territory of Hawaii,  
Honolulu, April 7th, 1903.

To the Legislature of the Territory of Hawaii:

The Joint Resolution requesting the Congress to amend Section 44 of the Organic Act, "so as to permit the use of the Hawaiian language," has had my consideration, and I am unable to approve it and herewith return it without my signature.

The provision of Section 44 of the Organic Act, referred to, requires all legislative proceedings to be conducted in the English language.

Judging from the provisions of the Organic Act, it was the fixed policy of the Congress at the time the Organic Act was passed, that legislative proceedings and judicial proceedings in the upper courts should be conducted in the English language. That this is an important and reasonable requirement of a Territory of the United States looking forward to Statehood, goes without saying.

In the recent discussions in Congress on the question of the admission of the Territories of Oklahoma, Arizona and New Mexico to statehood much was made in opposition to the Bill of the backward condition of the people of Arizona and New Mexico as to the use of the English language and of the fact that the conduct of both courts and legislatures require the assistance of interpreters.

I feel that the submission of such a request as is contained in the Joint Resolution to the legislative and executive authorities of the United States could not fail to prejudice the standing of this Territory before such authorities upon the question of the admission of the Territory of Hawaii as a state of the American Union.

Moreover, the allowance of the Hawaiian together with the English language as a medium for the conduct of legislative proceedings, would tend to delay legislative work and add to its expense without any corresponding public benefit.

SANFORD B. DOLE,  
Governor.

Senator C. Brown moved that the veto of the Governor and the Joint Resolution be laid on the table.

Senator Baldwin moved as an amendment that consideration be deferred until tomorrow. Senator C. Brown accepted the amendment, which carried.

A communication from the Governor of the Territory vetoing a bill entitled "An Act to license the retail sale of malt liquors" was read by the Clerk, as follows:

Executive Chamber,  
Territory of Hawaii,  
Honolulu, April 7th, 1903.

To the Legislature of the Territory of Hawaii:

The Bill entitled "An Act to license the retail sale of malt liquors," has had my consideration, and being unable to approve it, I herewith return the same without my signature.

My objections to the Bill are as follows:

There is no provision forbidding the transfer of such licenses or of any interest therein;

Women may frequent the licensed premises, and receive and consume liquor by the glass therein;

The police should have at all times, the right to enter the licensed premises without search warrant and search the same and take samples of the malt liquors found on such premises for analysis, and to take away any liquor found in such premises that is not permitted by the law to be therein;

The conviction of the licensee for a breach of his bond or license should forfeit his license, as well as the amount of the bond;

The location of such licensed premises should be subject to the approval of the Treasurer and the High Sheriff, instead of the "Treasurer or the High Sheriff."

There should be a provision in the Bill which would prevent the location of such saloons in the neighborhood of residences.

As to the provision that premises licensed for the sale of malt liquors should not be located within 150 feet of schools, I have before me a petition from the Trustees under the Will of Bernice Pauahi Bishop to the Treasurer, asking that "in view of the prejudicial influences which the granting of such licenses within the vicinity of the school grounds would cause to the students," licenses for the sale of beer, wines and spirits be not located within half a mile of the Kamehambea School Grounds.

I would impress on your minds, in dealing with this subject, the recognized and established view of the Legislatures and courts of common law countries,—to the effect that the trade in intoxicating drinks is not within the class of ordinary enterprises for profit and not entitled to all of the considerations which are conceded to such enterprises, but is regarded to some

extent as a constant menace to the well being of society, and is accordingly placed by such authorities within the police power of the state with such other dangerous enterprises as the manufacture and sale of explosives, poisons, etc.

SANFORD B. DOLE,  
Governor.

Senator Baldwin moved that the veto be considered tomorrow. Seconded by Senator McCandless and carried.

A communication from the House of Representatives announcing their concurrence in the amendments to House Bill No. 6 was read by the Clerk, as follows:

Honolulu, H. T., April 8th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to notify your honorable body that the House of Representatives has concurred in your amendment to House Bill No. 6.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

The following communication from the House of Representatives announcing that they had laid the report of the special conference committee on House Bill No. 70 on the table, was read by the Clerk, as follows:

Honolulu, H. T., April 8th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to notify your honorable body that the House of Representatives has decided to lay the report of the Conference Committee, relating to House Bill No. 70 (Emergency Appropriations) on the table.

S. MEHEULA,  
Clerk.

Senator Achi moved that the communication be referred to the Conference Committee to find out what reasons the House has for laying the report on the table. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 83, continued.

Senator Dickey moved to postpone consideration for one week. Seconded by Senator Isenberg and carried.

At 2:30 o'clock Senator Achi moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Woods and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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## FORTY-FOURTH DAY.

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Thursday, April 9th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Crabbe and McCandless absent.

The Journal of the Forty-third Day was read and, upon motion of Senator Kaohi, seconded by Senator Nakapaahu, approved as read.

A communication from the House of Representatives announcing that Senate Bills Nos. 87, 95, 96 and 99 had passed third reading was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 9th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith the following Senate Bills which have passed their respective Third Readings in the House of Representatives, Territory of Hawaii, on the 8th day of April, A. D., 1903, to wit:

Senate Bill No. 87, entitled "An Act to Regulate the Manner of Giving Notices of Meetings of Boards of Registration."

Senate Bill No. 95, entitled "An Act to Amend Sections 1292, 1295 and 1296 of the Civil Code Relating to Married Women."

Senate Bill No. 96, entitled "An Act Relating to Marriage Contracts, amending Section 1 of Chapter XXIII of the Session Laws of 1872."

Senate Bill No. 99, entitled "An Act Relating to Mongoose, repealing Section 2 of Chapter XLVIII of the Session Laws of 1892."

Very respectfully,

SOLOMON MEHEULA,

Clerk.

Senator Dickey for the Committee on Miscellaneous Petitions reported on the petition of the Officers of Various Charitable Societies praying for an appropriation of \$5,000.00, as follows:

Honolulu, T. H., April 8th, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred the petition of the Officers of the various Charitable Societies of Honolulu that \$5000 be appropriated for the expenses of the Associated Charities, beg leave to report as follows:

The Associated Charities is one of the most useful organizations in the City. It is their aim to examine into all applications for charity and find whether they are deserving. If found to be deserving the various applicants are turned over to the suitable benevolent society which gives the needed assistance. Thus, charitably disposed people are not cheated by impostors, and all persons really in need are cared for. As long as there is such a society in existence there is no likelihood of the appearance of professional beggars on our streets.

Your committee recommends the insertion of \$5,000. in the Appropriation Bill for the purpose proposed.

Respectfully submitted,

C. H. DICKEY, Chairman,  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Dickey moved that the report of the committee be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Isenberg and carried.

Senator Dickey for the same committee reported on Senate Bill No. 50, as follows:

Honolulu, T. H., April 8th, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which Senate Bill No. 50 was re-committed, beg leave to report that the Bill is in many respects a good one as it safe-guards the public from the practice of quacks.

The present law provides no penalty for infringement of the law, which difficulty is covered by the Act under consideration.

Your committee recommends the passage of the Act, with the amendments already proposed by the committee in its former report.

Respectfully submitted,

C. H. DICKEY, Chairman,  
S. E. KAIUE,

I do not concur.

D. P. R. ISENBERG.

Senator Dickey moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Isenberg and carried.

Senator Isenberg for the special committee on the Pahoa Water Works reported on Senate Bill No. 122 and House Bill No. 157, as follows:

Honolulu, H. T., April 8th, 1903.

HONORABLE CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Special Committee, to whom was referred House Bill No. 157 and Senate Bill No. 122, beg leave to report as follows:

Your Committee have taken into consideration House Bill No. 157, and have gone into the question of the different water sources very carefully. They have also personally looked into the water supply which is coming from Nuuanu Valley, and have obtained figures in regard to the pumping of water at the Beretania Street pumping station.

We, the committee, have come to the conclusion that pumping water is rather expensive, and especially the running expenses of the Beretania Street pump. We find that other pumps in the country are run very much cheaper, and we think it inadvisable to increase the pumping plants of the city, unless it is considered absolutely necessary.

Your committee believes that the Government should own all of the water, if it is going into the water business, as it is now, and control all sources of the water supply of Honolulu. We are in favor of the Government purchasing the Pauoa water springs. We have personally examined these springs and find from measurements made by several engineers that there are about 1,100,000 gallons of water flowing daily. This measurement was made in the latter part of the month of March, and the months previous and the month of March have been very dry, so that the measurements made indicate the lowest supply obtainable from the springs.

It has also been stated to the committee that it is very likely that the water in the Pauoa springs can be developed more, and while this may be true, the danger of undertaking it should be very carefully examined before such a course is pursued. The supply of water is very even throughout the year, which indicates that the water comes from a long distance. The quality of the water has also been taken under careful consideration by your committee, and the analysis made by Dr. Shorey we hereby attach to our report. This shows that the water is some of the purest that can be had. We further attach the options of the different holders and of Mr. Booth; and your committee have come to the conclusion that the Government should not pay out a dollar until it is satisfied it can obtain a good title to the water and the land on which the spring is situated. We are also of the opinion that the Legislature should not enter into contracts and then saddle the Government with a lot of law suits; nor purchase any part of the water unless they can purchase the whole.

Your committee have had the opinion of persons having a large practical experience of water supplies in the islands, and have based the valuation of this water supply largely thereon.

The upper spring could easily be connected with a direct pipe, which will be about 9,000 feet long, to the present Government main at the corner of Pauoa Road and Punchbowl Street, and about 6,000 feet from the lower spring; and your committee thinks it will cost about \$25,000 to bring that water direct. But should it be necessary to put the water in reservoirs, there are several sites for reservoirs near at hand. One could be built at the back of Punchbowl, another immediately below the springs in Pauoa Valley. The first site already belongs to the Government; the second site can be bought for a very reasonable price, owners having already offered to sell same for reservoir purposes.

We recommend House Bill No. 157 be amended to read as follows: Strike out all of Section 1 after the word "thereof" in line 3, and insert in place thereof "the land whereon such springs are situated, and to pay the several owners thereof the sum of \$150,000. The said owners to give a good title in fee of said



water and land, and a right-of-way over any property owned by them for a pipe line to convey said water to the water system of Honolulu."

Amend Section 2 so as to read as follows: "Section 2. The sum of \$150,000 is hereby appropriated from any current funds of the Territory for the purpose of acquiring the water and water rights and land aforesaid, and \$5,000 is hereby appropriated from such fund for the purpose of a reservoir site in Pauoa Valley."

With these amendments we recommend that House Bill No. 157 pass, and that Senate Bill No. 122, which is identical with it, be laid on the table.

Respectfully submitted,

D. PAUL R. ISENBERG,  
Chairman.

S. E. KAIUE,  
J. T. BROWN,  
CECIL BROWN,  
C. H. DICKEY.

Senator J. T. Brown moved that the report of the committee be adopted. Seconded by Senator Kalaauokalani and carried.

Senator J. T. Brown moved that the bill be read third time on Saturday, the 11th. Seconded by Senator Nakapaahu and carried.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 166 and 167 printed and ready for distribution.

Senator Woods offered the following resolution that the Senate adjourn at noon today out of respect to the memory of J. B. Atherton:

#### RESOLUTION.

Resolved, that the Senate adjourn at noon today out of respect to the memory of J. B. Atherton, deceased, who for years was a member of the Privy Council.

PALMER P. WOODS,  
Senator 1st District.

Senator C. Brown moved that the resolution be adopted. Seconded by Senator Dickey and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 135, as follows:

Honolulu, H. T., April 9th, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred Senate Bill 135, An Act to reorganize and regulate the Militia of the Territory of Hawaii, has had the same under consideration.

This bill is modelled after the laws of the United States regarding the Militia of the several States and Territories, and, if passed, will make the rules and regulations concerning Militia to coincide with the laws in most of the States and Territories.

Your committee recommend the passage of the bill.

C. H. DICKEY, Chairman,  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Kalauokalani moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator C. Brown and carried.

Senator Wilcox gave notice of intention to introduce a bill entitled "An Act to Amend Acts Regulating the Practice of Medicine in the Territory of Hawaii."

Under suspension of the rules Senator Wilcox introduced a bill entitled "An Act to Amend Acts Regulating the Practice of Medicine in the Territory of Hawaii."

Senator Kalauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Isenberg and carried.

Senator Baldwin for the Committee on Ways and Means reported on House Bill No. 28, as follows:

Honolulu, T. H., April 9, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred House Bill No. 28, entitled "An Act Relating to Passenger Vehicles and Drivers, and to Regulate and License the same," begs leave to report.

This Bill provides for a Board of Three Inspectors, to inspect passenger vehicles and issue licenses for the same, and also to passenger vehicle drivers. One of the requirements under this Act is that all applicants for a license to drive a passenger vehicle shall be able to speak and read either the English or Hawaiian language.

Your committee believes that in this country, where a large majority of the people speak either the English or Hawaiian language, and a large part of the tourist travellers use the English language, it is desirable that passenger vehicle drivers should have a certain amount of knowledge of the English or Hawaiian language, but in our opinion, this requirement should not apply to existing licenses.

We recommend the passage of the Bill, with the following amendment, to be inserted in Section 2, at the end of the second paragraph: "Provided, however, that the provision that a passenger vehicle driver must be able to speak and read either the English or Hawaiian language, shall not apply to any person or persons holding a license on the passage of this Act."

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator J. T. Brown and carried.

Senator J. T. Brown moved that the bill be read third time on Saturday, the 11th. Seconded by Senator C. Brown and carried.

Second Reading of Senate Bill No. 107, entitled "An Act making Special Appropriations for the Departmental Use of the Territory during Six Months from July 1st, A. D. 1903, which will end with the Thirty-first Day of December, A. D. 1903."

Senator Dickey moved that the bill be deferred. Seconded by Senator Isenberg and carried.

Senator J. T. Brown moved that the vetoes of the Governor be now taken up for consideration. Seconded by Senator Kaiue and carried.

Senator C. Brown moved that the Senate do not sustain the veto of the Governor to the Joint Resolution requesting the Congress to amend Section 44 of the Organic Act. Seconded by Senator Achi.

The motion to not sustain the veto of the Governor was then put and carried on the following showing of ayes and noes:

Ayes: None.

Noes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Not Present: Senator Crabbe—1.

Senator C. Brown moved that the Senate do not concur in the veto of the Governor to "An Act to license the retail sale of Malt Liquors." Seconded by Senator Kalaauokalani.

The motion to not concur in the veto of the Governor was then put and lost on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Isenberg, Kaiue, Kalaauokalani, McCandless, Nakapaahu and Woods—9.

Noes: Senators Baldwin, Dickey, Kaohi, Paris and Wilcox—5.

Not Present: Senator Crabbe—1.

Second Reading of Senate Bill No. 164, entitled "An Act making Special Appropriations for the Departmental Use of the Territory to pay the Unpaid Bills up to the First Day of July, A. D. 1903."

Senator C. Brown moved that the bill be made the order of the day for tomorrow. Seconded by Senator Dickey and carried.

Senator Achi moved to re-consider the action taken on the veto of the Governor to "An Act to license the retail sale of Malt Liquors." Seconded by Senator Kalaauokalani and carried.

Senator Achi moved that the Senate do not concur in the veto of the Governor. Seconded by Senator Isenberg.

The motion to not concur in the veto of the Governor was then put and carried by the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris and Woods—11.

Noes: Senators Baldwin, Dickey and Wilcox—3.

Not Present: Senator Crabbe—1.

A communication from the Secretary of the Territory announcing that the Governor had signed Act 23 was read by the Clerk, as follows:

Honolulu, H. I., April 9, 1903.

SENATOR C. L. CRABBE,

President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Act on the 8th inst.:

"Act 23. An Act to Repeal a Part of Section Two, Chapter Seventy-two, Session Laws of 1886, and to Remit Claims for Special Tax on Malt Liquors Under said Section."

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

Second Reading of Senate Bill No. 165, entitled "An Act appropriating money for the reimbursement of certain Road Funds."

Senator C. Brown moved that the bill pass second reading. Seconded by Senator Woods and carried.

Senator C. Brown moved that the bill be read third time on Saturday, the 11th. Seconded by Senator Woods and carried.

First Reading of House Bill No. 94, entitled "An Act to Encourage Diversified Industries."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Achi and carried.

Senator Achi moved that the bill be read second time on Saturday, the 11th. Seconded by Senator C. Brown and carried.

Third Reading of Senate Bill No. 110, entitled "An Act to Amend Act 51 of the Session Laws of 1896, entitled 'An Act relating to Internal Taxes, and to repeal Chapter 61 of the Session Laws of 1892 thereto,' approved June 3rd, 1896, and to repeal Section 18 thereof."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Dickey, Isenberg, Kaiue, McCandless, Paris, Wilcox and Woods—10.

Noes: Senators J. T. Brown, Kalauokalani, Kaohi and Nakapaahu—4.

Not Present: Senator Crabbe—1.

Third Reading of Senate Bill No. 46, entitled "An Act to amend Section 14 of Chapter 23 of the Session Laws of 1884 also being Section 2070 of the Civil Laws of the Territory of Hawaii as set forth in a compilation made by Sidney M. Ballou."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, J. T. Brown, Kaiue, Kalauokalani, Kaohi, Nakapaahu and Woods—8.

Noes: Senators Achi, Dickey, Isenberg, McCandless, Paris and Wilcox—6.

Not Present: Senator Crabbe—1.

Second Reading of Senate Bill No. 136, entitled "An Act to provide for a High School in Hilo, Island and Territory of Hawaii under the Department of Public Instruction of the Territory."

Senator J. T. Brown moved to amend Section 6 by striking out the words "twenty-five thousand dollars" and inserting the words "eighteen thousand dollars." Seconded by Senator Nakapaahu and carried.

Senator C. Brown moved that the bill pass second reading, as amended. Seconded by Senator Achi and carried.

At 11:50 o'clock Senator C. Brown moved to adjourn in accordance with the resolution offered by Senator Woods. Seconded by Senator Kalaaukalani.

Senator Achi moved as an amendment to adjourn until Saturday morning at 10 o'clock. Seconded by Senator Baldwin and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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FORTY-FIFTH DAY.

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Friday, April 10th, 1903.

No session.

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FORTY-SIXTH DAY.

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Saturday, April 11th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senator Baldwin absent.

The Journal of the Forty-fourth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Nakapahu, approved as read.

A communication from the House of Representatives transmitting House Bills Nos. 5, 69 and 144 was read by the clerk as follows:

House of Representatives,  
Honolulu, T. H., April 9th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith the following House Bills, which have passed their respective Third Reading in the House of Representatives, Territory of Hawaii, on the 8th day of April, A. D., 1903, to-wit:

House Bill No. 5, entitled "An Act providing for the drawing, summoning and empaneling of grand and trial jurors."

House Bill No. 69, entitled "An Act amending Section 1 of Act 20 of the Session Laws of 1901."

House Bill No. 144, entitled "An Act authorizing and providing for the sales of licenses to sell opium, or a preparation thereof, and the issuance of such licenses; and defining the duties and powers in regard thereto, of the Treasurer and Police Department; and defining and prohibiting an opium smoker's den; and repealing all other laws and parts of laws in conflict herewith."

Respectfully submitted,

SOLOMON MEHEULA,  
Clerk.

First Reading of House Bill No. 5, entitled "An Act providing for the drawing, summoning and empaneling of grand and trial jurors."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Dickey and carried.

Senator Achi moved that the bill be read second time on Monday, the 13th. Seconded by Senator Woods and Carried.

First Reading of House Bill No. 69, entitled "An Act amending Section 1 of Act 20 of the Session Laws of 1901."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Achi and carried.

Senator Dickey moved that the bill be read second time on Monday, the 13th. Seconded by Senator Kalauokalani and carried.

First Reading of House Bill No. 144, entitled "An Act authorizing and providing for the sales of licenses to sell opium, or a preparation thereof, and the issuance of such licenses; and defining the duties and powers in regard thereto of the Treasurer and Police Department; and defining and prohibiting an opium smoker's den; and repealing all other laws and parts of laws in conflict herewith."

Senator Dickey moved that the Bill pass first reading. Seconded by Senator Kalanokalani and carried.

Senator J. T. Brown moved that the bill be read second time on Monday, the 13th. Seconded by Senator C. Brown and carried.

A communication from the House of Representatives announcing that the House of Representatives had over-ridden both vetoes of the Governor, was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 9th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to inform your honorable body that the House of Representatives has this day over-rode both of the Governor's vetoes on the Joint Resolution relating to requesting Congress to amend the Organic Act so as to allow the use of the Hawaiian language in legislative proceedings, and on the Bill relating to the sale of Malt Liquors.

Respectfully yours,

SOLOMON MEHEULA.

Clerk.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on House Bill No. 99, as follows:

Senate Chamber.  
Honolulu, T. H., April 9, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Public Lands, Internal Improvements, Agriculture, etc., to which was referred House Bill No. 99, the same being an Act to Designate Two Pay-days in a Month for the Government Employees and Officials of the Territory of Hawaii, begs leave to report upon the Act.



We believe that were the system proposed adopted with relation to all officials and employees of the Territory it would prove altogether too expensive and scarcely serve to meet the end sought. We recommend that Section 1 be amended to provide that workmen employed on the public roads throughout the Territory be paid twice during each month and that as so amended the bill do pass.

Respectfully submitted,

L. L. McCANDLESS,

J. B. KAOHI,

.....

Committee.

#### AMENDMENT.

Section 1 to read: Section 1. From and after the passage of this Act, the fifteenth and last day in a month are hereby designated the pay-days of all employees engaged in constructing or repairing roads, bridges or streets for the Territory of Hawaii.

Senator Isenberg moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Kalanokalani and carried.

Senator McCandless for the same committee reported on Senate Bill No. 158, as follows:

Senate Chamber,

Honolulu, T. H., April 9, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Public Lands, Internal Improvements, Agriculture, etc., begs leave to report at this time on Senate Bill No. 158, referred on the 8th inst. This Act calls for an appropriation of \$2,000 for the Equipment of the Volunteer Fire Department of the Town of Wailuku, Maui.

This equipment should be provided without delay. Your committee strongly recommends that an item of \$2,000 for the purposes of this Act be inserted in the general Appropriation Bill and that Bill No. 158 be laid upon the table to be taken up with the general Appropriation Bill.

Respectfully submitted,

L. L. McCANDLESS,

J. B. KAOHI,

.....

Committee.

Senator Isenberg moved that the report of the committee be adopted. Seconded by Senator Kalauokalani and carried.

Senator C. Brown for the Printing Committee reported Senate Bill No. 171 printed and ready for distribution.

Senator Achi introduced a resolution that the clerk send printed copies of all bills which have passed third reading to the House, as follows:

#### RESOLUTION.

Resolved, that when a Senate Bill is passed on 3rd Reading the Clerk is hereby ordered to send the copies of said bill to the Lower House.

W. C. ACHI,  
Senator 3rd District.

Senator Dickey moved that the resolution be adopted. Seconded by Senator Achi and carried.

Senator Dickey gave notice of intention to introduce the following bills:

"An Act Relating to Agriculture and Forestry, and repealing certain Laws on that Subject."

"An Act Relating to Coroner's Inquests, repealing certain Laws on that subject."

"An Act Relating to High Sheriffs, Sheriffs, Deputy Sheriffs and Police, amending and repealing certain provisions relating thereto."

"An Act Relating to Taxation, Educational and Judicial Districts, amending and consolidating certain Laws on that subject."

"An Act Relating to Offences against the Election Laws, amending certain provisions on that subject."

"An Act to repeal Act 14 of the Special Session of 1895 relating to the labor commission."

"An Act Relating to the Treasury Department, amending and repealing certain Laws on that subject."

"An Act Relating to the Auditor and Deputy Auditor, amending and repealing certain provisions relating thereto."

"An Act Relating to Taxes, amending and repealing certain laws on that subject."

"An Act Relating to Stamp Duties, amending and repealing certain provisions on that subject."

"An Act Relating to Currency, amending certain Laws on that subject."

Under suspension of the rules Senator Dickey introduced a bill entitled "An Act Relating to Agriculture and Forestry, amending and repealing certain Laws on that subject."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalaauokalani and carried.

Senator Dickey introduced a bill entitled "An Act Relating to Coroners' Inquests, repealing certain Laws on that subject."

Senator Kalaauokalani moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Dickey and carried.

Senator Dickey introduced a bill entitled "An Act Relating to the High Sheriff, Sheriff, Deputy Sheriffs and Police, amending and repealing certain provisions relating thereto."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalaauokalani and carried.

Senator Dickey introduced a bill entitled "An Act Relating to Taxation, Educational and Judicial Districts, amending and consolidating certain Laws upon that subject."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

Senator Dickey introduced a bill entitled "An Act Relating to Offences against the Election Laws, amending certain provisions on that subject."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Kalaauokalani and carried.

Senator Dickey introduced a bill entitled "An Act to repeal Act 14 of the Special Session of 1895, relating to the labor commission."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act Relating to the Treasury Department, amending and repealing certain Laws on that subject."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act Relating to the Auditor and Deputy Auditor, amending and repealing certain provisions relating thereto."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

Senator Dickey introduced a bill entitled "An Act Relating to Taxes, amending certain laws on that subject."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Wilcox and carried.

Senator Dickey introduced a bill entitled "An Act Relating to Stamp Duties, amending and repealing certain provisions on that subject."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

Senator Dickey introduced a bill entitled "An Act Relating to Currency, amending and repealing certain laws on that subject."

Senator Dickey moved that the bill pass first reading and be referred to the Printing Committee for translation and printing. Seconded by Senator Woods and carried.

Senator Baldwin for the Ways and Means Committee reported on Senate Bill No. 149, as follows:

Honolulu, T. H., April 11, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Bill No. 149, entitled "An Act to Regulate and License Insurance Business in this Territory," begs leave to report.

There are more than Seventy (70) Fire Insurance Companies, and several Marine and Life Insurance Companies in this Territory, and no law on the Statutes governing and regulating the Insurance business.

This Bill provides for "A Department charged with the execution of the laws relating to Insurance, to be known as the Insurance Department, the Chief Officer to be the Territorial Auditor, who shall be ex-officio Insurance Commissioner."

The Bill provides for a Tax of Two per cent. (2%) on the net gain of all Insurance Companies. The present law imposes a tax of one per cent (1%) on the gross receipts of Fire Insurance Companies only. The provision in this Bill will undoubtedly bring in more revenue than the present law. The provision for Fees in the Bill, to be paid in to the Commissioner, will also be quite a little item of revenue.

We recommend the following amendments:

In Section 4, paragraph "second", first line, before the word "Company", insert the word "Stock." In the same Section, change \$200,000 to \$100,000. In Section 7, first line, before the word "Company", insert the word "Stock." And change the amount in the same paragraph from \$200,000 to \$100,000. Strike out Section 20.

With the above amendments, your committee recommends the passage of the Bill. It is a good Bill, that will bring in considerable revenue to the Government; will regulate a business that has been increasing quite rapidly in this Territory, and will keep out bogus Companies.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator C. Brown moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Kalauokalani and carried.

Second Reading of Senate Bill No. 141, entitled "An Act Relating to Building Permits, amending Section 2 of Chapter XVI. of the laws of 1886, as amended by Chapter LXXII. of the laws of 1890 (Penal Laws, Section 1079)." Referred to the Committee on Health and Education.

Second Reading of Senate Bill No. 155, entitled "An Act Relating to the Construction and Operation of Railways, and amending an Act entitled 'An Act to Promote the Construction of Railways,' being Chapter 29 of the Laws of 1878." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 170, entitled "An Act to Provide a Digest of the Hawaiian Supreme Court Reports." Referred to the Judiciary Committee.

Second Reading of House Bill No. 64, entitled "An Act Creating the City and County of Honolulu, and providing for the Government thereof." Referred to the Judiciary Committee.

Second Reading of House Bill No. 94, entitled "An Act to Encourage Diversified Industries." Referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 167, entitled "An Act to amend Act 45 of the Session Laws of 1898, entitled 'An Act Relating to Corporations and Incorporated Companies organized under the laws of Foreign Countries and carrying on busi-

ness in this Republic;' repealing Chapter XXXVI. of the Session Laws of 1880, and Chapter XXXVII. of the Session Laws of 1882, relating thereto and Chapter XI. of the Session Laws of 1878 entitled 'An Act Providing for service of process on Foreign Corporations,' and to add thereto new sections 2a and 2b, providing for a license on certain Foreign Corporations." Referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 166, entitled "An Act to Regulate the Practice of Pharmacy and the Selling, Compounding and Dispensing of Drugs, Chemicals and Poisons in the Territory of Hawaii." Referred to the Committee on Health and Education.

Second Reading of Senate Bill No. 168, entitled "An Act to amend Section 474 of the Civil Code of 1859 relating to the appointment of a Registrar of Public Accounts and to Provide for the appointment of a Deputy Registrar of Public Accounts." Referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 169, entitled "An Act authorizing Foreclosure and Sale to enforce the Lien of Shipping Companies and other Common Carriers." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 171, entitled "An Act to prevent certain public officers from approving vouchers and pay-rolls for services, materials or supplies for the purpose of authorizing, assisting or allowing persons to obtain warrants thereon, drawn upon certain appropriations, funds or deposits, when such officers know that such services, material or supplies are rendered or furnished for objects other than those to which appropriations, funds or deposits appertain." Referred to the Committee on Miscellaneous Petitions.

Second Reading of House Bill No. 83, entitled "An Act to provide for a right of action for damages for death caused by wrongful act, neglect or default." Referred to the Committee on Miscellaneous Petitions.

Third Reading of Senate Bill No. 125, entitled "An Act Relating to the settling, allowing and signing of decrees and exceptions in certain cases."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Third Reading of Senate Bill No. 139, entitled "An Act Repealing Section 1 of Act 9 of the Provisional Government relating to the Inspection of Explosive Substances."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Third Reading of Senate Bill No. 161, entitled "An Act to amend Section 3 of Act 21 of the Acts of the Provisional Government, relating to and prohibiting Gambling and Gaming."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Third Reading of Senate Bill No. 162, entitled "An Act to enable Police to suppress Gambling and Gaming."

Senator C. Brown moved to postpone consideration until Monday, the 13th. Seconded by Senator McCandless and carried.

Second Reading of Senate Bill No. 137, entitled "An Act amending a portion of the law relating to the Construction, Maintenance and Operation of a Street Railway in the District of Honolulu."

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Woods and carried.

Second Reading of Senate Bill No. 138, entitled "An Act amending and Repealing certain laws relative to Liquid Explosives."

Senator McCandless moved that the bill be read Section by Section. Seconded by Senator Dickey and carried.

Section 1. Passed as read.

Section 2. Senator Achi moved to amend by striking out the words "before a District Magistrate" in line 12. Seconded by Senator Dickey and carried.

Senator Achi moved to amend by striking out the words "in the discretion of the Magistrate" in line 15. Seconded by Senator Dickey and carried.

Senator Dickey moved to amend by inserting the words "make the second paragraph of said Section" in line 2. Seconded by Senator Woods and carried.

Section 3. Passed as read.

Senator McCandless moved that the bill pass second reading as amended. Seconded by Senator Achi and carried.

Senator Achi moved that the bill be read third time on Monday, the 13th. Seconded by Senator McCandless and carried.

Second Reading of Senate Bill No. 157, entitled "An Act relating to the exemption of taxes of the Pacific Heights Electric Railway Company, Limited.

The President here called the Vice-President to the Chair.

Senator Achi moved to amend Section 1 by inserting in line 4 the words "from January 1st, 1903," after the words "five years." Seconded by Senator McCandless and carried.

Senator Crabbe moved that the bill pass second reading as amended. Seconded by Senator Achi and carried.

Senator Crabbe moved that the bill be read third time on Monday, the 13th. Seconded by Senator McCandless and carried.

Second Reading of Senate Bill No. 164, entitled "An Act making Special Appropriations for the Departmental use of the Territory to pay the Unpaid Bills, up to the First Day of July, A. D. 1903."

The following amendments were made:

Section 1. Item of "Hutchinson Sugar Company, \$369.39" reduced to \$123.13.

Item of "Commission of Agriculture and Forestry—Competitive Exhibitions of Fruit, Vegetables, Plants, etc., H. S. Crocker & Co., balance, \$10.49" inserted after the item "Pi-honua Road, Hawaii Mill Co., \$5,000.00."

Items under the head of Forest Fires amended as proposed by the committee.

At 12:05 o'clock Senator Dickey moved to take a recess until 2 o'clock. Seconded by Senator Baldwin and carried.

#### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Second Reading of Senate Bill No. 164, continued.

Item, "Roads and Bridges, Fourth District" amended to read "Roads and Bridges, Honolulu."

Item of "John Nott, \$237.29" inserted after item "J. J. Belser, Contract, \$5,549.20."

Item of "C. H. Dickerson, \$57.50" stricken out.

Item of "Road Board Pay Rolls, \$9,337.85" stricken out.

Item of "Oahu Sugar Company, \$126.00" reduced to \$63.00.

Item of "Waialua Soda Works, \$12.50" stricken out.



Item of "Love's Bakery, \$57.00" amended to read Love's Bakery, .57."

Items of "W. L. Wilcox, \$4.72" and "S. I. Shaw and Company, \$4.00" inserted after item "S. I. Shaw, \$4.00."

All items under the head of Judiciary Department stricken out and amendment proposed by the committee adopted.

Section 2. Stricken out.

Section 3. Renumbered Section 2 and passed as in the bill.

Senator Achi moved that the bill pass second reading as amended. Seconded by Senator Woods and carried.

Senator Achi moved that the bill be read third time on Monday, the 13th. Seconded by Senator J. T. Brown and carried.

Under suspension of the rules Senator McCandless for the special Committee appointed to visit the Leper Settlement reported as follows:

Senate Chamber,  
Honolulu, T. H., April 10, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Special Committee charged with the duty of visiting the Molokai Settlement on behalf of this Honorable Body and reporting thereon, begs leave at this time to submit its findings and recommendations. The journey was accomplished comfortably and in good time, the steamer service being excellent. At the Settlement we were received cordially by the officials and the people generally. The persons who have been isolated at the Settlement were appreciative in the highest degree of the interest shown in their welfare. Throughout our stay they expressed confidence in the good intentions of the Legislature and appeared to speak with the utmost frankness, as they were urged to do. Your committee went over the entire Settlement, observing all its features as closely as the time and circumstances would permit. Formal sittings were had by the Committee at the Bishop Home for Girls, the Baldwin Home for Boys and at Beretania Hall. At the latter place all the petitions on Settlement subjects which have from time to time been presented to the Senate and which had been handed to your committee, were read and comments made thereon by a committee of thirty representing the Settlement population. We found the two Homes in good order and learned that they are most efficiently administered by self-sacrificing and God-fearing men and women who are entitled to unlimited commendation for their zeal, their industry, their genuine humanitarianism and the sound good judgment that they display under great

trials and on occasions requiring the utmost practice of patience and perseverance. These Homes, are so far as may be, given a marked home atmosphere, and the inmates seemed to be contented in every way with the management of each institution. It is true that complaints were heard. Every utterance or representation of a grievance was recorded by your committee and investigated to the extent of making searching inquiry. It may be remarked in passing that it is surprising that there is not much complaint made when the Legislative committees make their biennial calls, for even people in normally healthy condition and treated in the best possible manner would accumulate grievances rapidly and without the greatest possible foundation when isolated, cut off from the world as are the people of the Settlement.

We heartily endorse the recommendation of Mother Marianne, the Superior of the Bishop Home for Girls that a building be provided for her blind people and her convalescents. This is the only requisition that Mother Marianne makes and it is heartily approved by Mr. McVeigh, Superintendent of the Settlement. An item for this building is in the estimates of the Board of Health and your committee asks that the money be voted. After the statement of Mother Marianne concerning the need of this building the following questions and answers are in our record:

Mr. Aylett—Is there anything else?

Mother Marianne—I do not think there is; we should be comfortable otherwise.

Senator McCandless—Are you and your charges provided with sufficient food?

Mother Marianne—Yes; we are well provided with food.

Senator McCandless—Are you provided with enough clothing for the children of the Home?

Mother Marianne—Yes, sir.

The general prayer or petition of the inmates of this institution, in common with the entire population, was for return at once to the well-known Goto treatment. The use of this remedy has ceased quite recently. There is also an almost unanimous desire that the tua-tua treatment be given a fair and extensive trial. The people, almost without exception at the Settlement, have great faith in the Goto treatment. The most intelligent persons there, those best equipped for observation and most capable of reaching a conclusion are firm in the belief that the Goto remedy has a high and peculiar degree of efficiency. Your committee feels that even at this stage of its report it must place before the Senate the recommendation that the Board of Health be directed to resume the Goto treatment, and that a liberal appropriation be made for the expense connected therewith.

At the Baldwin Home for Boys, as at our other meeting places, the session was opened with prayer by Mr. Kalli. As at the other places, detailed announcement was made by Senator Kalauokalani and others of the purposes of the visit. The people were told that the committee was at the Settlement to secure information for the benefit of all concerned and that no person need fear to express himself wholly without restraint and without danger or peril of any sort. As before noted, all spoke with entire frankness. Brother Joseph Dutton, who for many years has been in charge of the Baldwin Home, was before your committee, and upon his appearance the following questions and answers are reproduced:

Senator McCandless: The Senate for the Legislature of the Territory has directed us to visit Molokai and to learn the wants and wishes of you people of Kalawao. I will go right to the point and ask if there is anything you wish the Legislature to do for the Baldwin Home?

Brother Dutton: Well, I do not have any special recommendations to make. There are some things concerning the improvement of the Home which will eventually have to be done. We especially want a sewerage system here.

Your committee finds that there is an item in the appropriation bill covering the estimate for a sewer for the Baldwin Home and recommends that the money be provided and that the work be entered upon without delay.

These further questions and answers we deem to properly have a place in this report:

Senator McCandless: Now, Brother Dutton, is there anything else in the line of buildings needed for the Home?

Brother Dutton: We do not need anything more.

Senator McCandless: You have shelter or rather buildings sufficient for all the people in the Home?

Brother Dutton: Yes, everything is well provided for in the way of buildings.

Senator McCandless: Are you supplied by the Board of Health with ample food for the Home—for all the inmates of the Home?

Brother Dutton: We get all we call for; we get our provisions in bulk and use our judgment in distributing or issuing.

Senator McCandless: Just what do you mean by saying that you get all you call for? Do you request the Superintendent of the Settlement for what you want—certain quantities of specified articles?

Brother Dutton: We recommend every month what we shall need when the general supplies for the Settlement are received.

Senator McCandless: When you ask for these things they are always given to you as desired by the Home?

Brother Dutton: Everything as per requisition.

Senator McCandless: Is there anything in the way of shortage of clothing for the people of the Home?

Brother Dutton: Nothing. We have a tailor shop here. We get the goods from the Superintendent of the Settlement, excepting shoes and hats; these we get from Honolulu, but the other things we make here in the tailor shop.

Your committee had heard some complaint about clothing at the Boys' Home. The material, while rough, is provided liberally and all the people there are neatly dressed. Brother Dutton and his co-workers wear the same quality of clothing in every particular as the boys.

It was at the Boys' Home also that your committee heard the first direct complaint about the quality of the paiai or poi. It was represented that there was not enough of it, that it was improperly or carelessly prepared and at times was of inferior quality. We believe that under the administration of the new Superintendent of the Settlement or, perhaps, it would be better to say under new conditions touching the supply of paiai, the faults of irregular delivery and bad quality will not be repeated. The criticism on preparation had some small foundation in an instance or two, but your committee is satisfied that there will not be any repetition of the methods complained of. The matter of quantity will be taken up later in this report.

Complaint was made that at times cattle for food were held too long in paddocks at the Settlement before slaughter. This is also a matter that we are convinced will receive better attention in the future.

Quite a number of the people at the Settlement ask that the money allowance to each person be increased from \$10 per annum to \$16. Your committee would make the recommendation that the Superintendent, under the direction of the Board of Health, make and carry out a plan of public improvement for the Settlement, such as road making, tree planting, etc., largely for the purpose of giving light employment at fair compensation to such of the people there as may care to work.

The subject of employment for certain people at the Settlement is by no means a new one. Your committee believes that the time has now arrived when the matter can be taken up and a satisfactory adjustment or arrangement made. It is highly proper where it is, your committee is convinced, such a really simple thing, that employment should be provided largely for the purpose of permitting the people at the Settlement to earn some money. Many of them are more than anxious to do this and their lot would be vastly bettered by there being at hand the opportunity to secure for themselves a little ready money. There need not be any suggestion of charity or pensioning about it, as this would be very

objectionable, but work in necessary and valuable improvement of the Settlement can and should be provided.

Postage stamps or stamped envelopes are furnished to the people at the Settlement without charge by the Board of Health. We recommend that when this item goes in the bill again it is with the special provision that the stamps or stamped envelopes be purchased of the postoffices at the Settlement instead of at the Honolulu postoffice, as was at one time the custom. This is but simple justice to the two postmasters within the Settlement.

There is pending in the Legislature an appropriation resolution calling for the sum of \$15,000 for the purpose of constructing a telephone system radiating from the Settlement to various places on the Island of Molokai. At the Beretania Hall meeting there was endorsement of this project and your Special Committee recommends that early consideration of it be given by the Senate Standing Committee to which the resolution was referred, for gathering facts sufficient on which to base a finding on the subject.

We believe that the Board of Health should take up without delay and for thorough investigation and revision the matter of the food supply for the people of the Settlement. There should be more frequent change—a more varied fare. The question of 21 or 25 pounds of palai we believe grows, with other complaints under the same head, out of the monotony of the rations. It appears to this committee that there are no great difficulties in the way of providing more satisfactory fare without material increase in cost of maintenance. We trust that this whole matter will early receive the earnest and best attention of the Board of Health. Under this head the statement was made to the committee that the people of the Settlement could purchase goods cheaper at another store than at the Settlement store maintained under the control of the Board of Health. This is not the case at all. In fact, the prices at the official store are very reasonable—lower than at the Honolulu retail stores.

In addition to the mere mention above of tree planting as a means of affording employment, your committee would add that there should be no delay in extensive tree planting for fuel purposes. Fuel is scarce and expensive at the Settlement. There is no good reason at all for this condition, as an ample supply can be raised.

There is an item in the appropriation bill for improvement and repair of the wharf at Kalaupapa. We recommend that the money for this purpose be provided and that work begin without delay. The landing is at present in a dangerous condition and the people are at times greatly inconvenienced thereby. Enough money should be provided to construct a permanent breakwater of considerable size.

There should be provision for the encouragement of the two brass bands at the Settlement. Everything possible or reasonable should be done in the way of providing rational amusement and recreation for the people of the Settlement. In this connection we heartily endorse the recommendation of Superintendent McVeigh that a small sum of money be provided for the purchase of out-door game equipment for the girls in the Bishop Home.

The Territory has been extremely derelict in one detail of the conduct of the Settlement. Your committee feels that not another week should be permitted to elapse without the Legislature, through the Board of Health, making provision for the non-leprous boys at the Settlement. They are not at all cared for like the girls similarly situated. The latter are brought to Honolulu and receive proper attention. The boys in question are growing up without training or education. Proper provision should be made for them at once.

Your committee recommend that the matters of marriage and divorce as concerning people of the Settlement be referred to the Judiciary Committee of this Body. Your Special Committee will be pleased to supply the Judiciary Committee with certain data on the subject. The statement is made that in many cases where divorce should ensue or should be had it is impossible for those interested to go into court on account of the expense attached. Your committee would be in favor of having the fees abolished or provided for out of the Public Treasury, so far as these people are concerned.

Your Special Committee, Mr. President, found that Superintendent McVeigh and Dr. Goodhue, the resident physician, were praised in the highest terms by all the people of the Settlement, but that the desire is earnest and well founded and permanent for a speedy return to the Goto treatment. There are many who wish Dr. Goto himself to return from Japan, to be the Specialist at the Settlement, but the majority will be well satisfied if the remedies are brought on and the treatment resumed.

Your Special Committee was extremely fortunate in having with it on the visit Hon. W. O. Smith, for many years connected with the Board of Health, and the Hon. Jonah Kallaniana'ole, Delegate to Congress, both of whom addressed the people to good purpose.

On the 9th inst. your Special Committee paid a visit, on behalf of the Senate, to the Kalihl Receiving Station and found everything in good order. The needs of this establishment, which are urgent, and which will, it is sincerely hoped, be provided for in the appropriation bill, are, briefly:

A new room for examinations. A new building for inmates.  
A group of new cottages for "suspects."  
All of which is respectfully submitted.

L. L. McCANDLESS,  
S. E. KAIUE,  
D. KALAUOKALANI,  
CECIL BROWN,  
Committee.

I trust the report of the other members of the Committee  
who went to Molokai.

W. C. ACHI.

Senator C. Brown moved that the report of the committee  
be received and laid on the table to be considered with the  
Appropriation Bill. Seconded by Senator J. T. Brown and  
carried.

Senator C. Brown gave notice of intention to introduce a bill  
entitled "An Act to amend Chapter 57 of the Session Laws of  
1892, entitled 'An Act to Reorganize the Judiciary Department'  
by adding thereto a new Section to be called Section 43a, pro-  
viding for the enforcement of decrees in equity."

Under suspension of the rules Senator C. Brown introduced  
a bill entitled "An Act to amend Chapter 57 of the Session  
Laws of 1892, entitled 'An Act to Reorganize the Judiciary  
Department' by adding thereto a new Section to be called  
Section 43a, providing for the enforcement of decrees in  
equity."

Senator C. Brown moved that the bill pass first reading and  
be referred to the Printing Committee for translation and  
printing. Seconded by Senator J. T. Brown and carried.

Under suspension of the rules Senator Dickey for the Com-  
mittee on Miscellaneous Petitions reported on Senate Bill No.  
159, as follows:

Honolulu, Apr. 9, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which  
was referred Senate Bill No. 159, in regard to explosives  
begs leave to report.

The purpose of the bill is to protect the public against the  
dangers from explosives and to amend the present law so  
that partnerships and corporations will be liable as well as  
individuals for infringements of the law.

In the matter of storage of fuel oils your committee made special investigations and learned that the danger therefrom was very slight as the degree at which these oils flash was 243 Fahrenheit, and therefore it would be very difficult to ignite them by ordinary means. However, as the danger would be great if, by any means, such as a conflagration in the neighborhood, the oil should ignite, your committee has thought best to recommend an amendment providing for an earth wall around tanks used for storing such oils. The dimensions of the earth walls are based upon the opinions of experts.

Your committee recommends the following amendments:

1. Section 1, Line 10, strike out the word "for" and insert the word "by."
2. Same Section, after line 13, add the words "provided that all such tanks shall be surrounded by earth walls placed at such a distance from the tanks as to enclose a space capable of containing the entire contents of such tanks. Such earth walls shall be at least three feet wide at top, four feet high and eight feet wide at bottom."
3. Section 4, Line 1, strike out the words "as amended" and insert in place of same the words "added thereto by."
4. Section 7, Line 7, strike out the word "refused" and insert the word "refunded."
5. Section 9, Line 4, strike out the words "Before a District Magistrate."
6. Same Section, Line 5, strike out all the balance of the Section after the words "or more than" and insert the words "One Thousand Dollars." (This amendment is proposed for the reason that it is impossible to imprison a corporation, and by raising the maximum fine to One Thousand Dollars, a penalty can be inflicted commensurate with the misdemeanor.)
7. Section 14, Line 19, put a period after the word "rests"; strike out the words "and its" and insert the word "the", also insert in same line after the word "sides" the words "of such magazines", so that the sentence shall read: "The base and sides of such magazines shall be water-tight."

With these amendments your committee recommend that the bill pass.

Respectfully submitted,

C. H. DICKEY, Chairman,  
D. PAUL R. ISENBERG,  
S. E. KAUE.

Senator C. Brown moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Dickey and carried.



At 3:40 o'clock Senator C. Brown moved to adjourn until 10 o'clock Monday morning. Seconded by Senator Woods and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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#### FORTY-SEVENTH DAY.

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Monday, April 13th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Baldwin, C. Brown, Isenberg, McCandless and Paris absent.

The Journal of the Forty-sixth Day was read and, upon motion of Senator Kalaauokalani, seconded by Senator J. T. Brown, approved as read.

Senator Dickey presented five petitions praying that Senate Bill No. 80 be taken off the table and passed.

Senator Dickey moved that the petitions be laid on the table to be considered with Senate Bill No. 80, in case the bill is taken up for consideration. Seconded by Senator Isenberg and carried.

Senator J. T. Brown presented a petition from citizens and tax-payers of Hilo praying that Section 8 of Act 9 of the Session Laws of 1901 be repealed.

The petition was laid on the table to be considered with any bill introduced on that subject.

Senator Kaiue presented a petition from various Chinese and Japanese storekeepers praying that they be reimbursed for moneys unlawfully collected as license fees.

The petition was laid on the table to be considered with the Appropriation Bill.

A petition from the Honolulu Chamber of Commerce transmitting resolutions adopted relating to several matters before the Legislature of the Territory of Hawaii was read by the Clerk.

Senator C. Brown moved that the petition be laid on the table to be considered with any bills on the subjects. Seconded by Senator Dickey and carried.

A petition from the Honolulu Hackmen's Union protesting against the proposed amendment to House Bill No. 28 was read by the Clerk.

Senator Kalauokalani moved that the petition be laid on the table to be considered with the bill. Seconded by Senator C. Brown and carried.

A petition from the Hawaiian Protective Association relating to the employment of citizens of the United States was read by the Clerk.

Senator C. Brown moved that the petition be laid on the table to be taken up with any bill on that subject. Seconded by Senator Baldwin and carried.

Senator C. Brown for the Judiciary Committee reported on Senate Bill No. 170, as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 170, report that this Bill provides for the compilation and publication of a Digest of the Supreme Court Reports under the supervision and approval of the Justices of the Supreme Court.

This work we think is necessary; the Act places the selling price at \$5 a volume, and allows the sum of \$4,000 or so much thereof as shall be necessary for compilation and publishing.

We recommend the passage of the Bill.

Honolulu, April 13, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Woods and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 155, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 155, report that the Bill seeks to amend the existing general railroad law as to condemnation proceedings. There is some question as to the constitutionality of the existing general railroad law; we think that the proposed amendments will settle that question. The amendments provide that the value of the land shall be arrived at by a jury, and prescribes the procedure to be taken in cases where an agreement cannot be reached, or where the owner is unknown, absent or a minor.

We recommend the passage of the Act with the following amendments: Strike out Section 1, as we believe Section 5 of the general railroad law which this Section amends is more definite and explicit in its terms than the amendments in Section 2. Strike out Section 5a and insert in its place the following:

"Section 5A. Any Railroad corporation doing business under the Laws of the Territory of Hawaii now organized or hereafter to be organized, may purchase and acquire any land, easement, right, license or other interest in land required by it for railroad purposes, for a price to be agreed upon by the owner thereof; when such price cannot be agreed upon the compensation to be paid by such corporation for any land or interest therein taken or injuriously affected for the purposes herein named, shall be ascertained and determined as hereinbelow provided. Any such corporation desiring to build, extend, add to or change any line of railroad between any points in the Territory of Hawaii shall file a plan of the proposed location of such railroad or of any proposed extension, addition to or change of location of any existing road with the Superintendent of Public Works and shall obtain his approval therefor before proceeding with such undertaking. The Superintendent of Public Works shall have power to authorize the crossing of any street or road in this Territory by any railroad at grade or otherwise, in such place or places as to him shall seem necessary. The decision of the Superintendent of Public Works shall be final as to all questions concerning the location of railroads and of the necessity of including any parcel of land in such location."

This amendment provides that any corporation now or hereafter existing, may take advantage and benefit of the Act, and provides also the procedure to be taken for the changing of, adding to, building or extending its line.

In Section 2 we recommend that the words "with the consent of the Superintendent of Public Works" be stricken out, as we think the power of raising money by pledge or mortgage of its property should not be made subject to the consent of that officer.

Section 5, strike out the word "publication" and insert "approval."

Honolulu, April 13, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator C. Brown moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Kalaauokalani and carried.

Senator Wilcox for the Committee on Health and Education reported on Senate Bill No. 141, as follows:

Honolulu, T. H., April 13, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Health and Education, to which was referred Senate Bill No. 141, entitled "An Act Relating to Building Permits in Honolulu," amending Section 2 of Chapter XVI of the Laws of 1886, as amended by Chapter LXXII of the Laws of 1890 (Penal Laws, Section 1079), have had the same under consideration.

Your committee finds that the Chief Justice in his Report recommends the passage of an Act of this kind so as to make the laws on this subject effective under the Organic Act and to conform to other laws.

Your committee recommend the passage of this Act.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS,  
H. P. BALDWIN,

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Isenberg and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Isenberg and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on House Bill No. 83, as follows:

Honolulu, T. H., April 13, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred House Bill 83, entitled "An Act to provide for a right of action for damages for death caused by wrongful act, neglect or default," has had the same under consideration.

This law provides that the representatives of a deceased person may have right of action against the person by whose wrongful act the death of such person may have been occasioned.

Your committee thinks the law a good one, and recommends its passage.

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Kalauokalani moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Nakapaahu and carried.

Senator Achi gave notice of intention to introduce a bill entitled "An Act granting the Standard Telephone Co. a franchise."

Senator Achi asked that the rules be suspended so as to introduce the bill.

Senator C. Brown objecting, the question was put by the Chair and carried.

Senator Achi introduced a bill entitled "An Act granting the Standard Telephone Co. a franchise."

Senator Achi moved that the bill pass first reading. Seconded by Senator Isenberg and carried.

Senator Achi moved that the bill be read second time tomorrow. Seconded by Senator Isenberg and carried.

Senator C. Brown gave notice of intention to introduce a bill entitled "An Act to amend the Act entitled 'An Act to license the retail sale of Malt Liquors,' passed at the Session of the Legislature of 1903."

Under suspension of the rules Senator C. Brown introduced a bill entitled "An Act to amend the Act of the Session Laws of 1903 entitled 'An Act to license the retail sale of Malt Liquors.'"

Senator J. T. Brown moved that the bill pass first reading. Seconded by Senator C. Brown and carried.

Senator J. T. Brown moved that the bill be read second time tomorrow. Seconded by Senator Nakapaahu and carried.

Senator Dickey moved that Senate Bill No. 80 be taken off the table and placed on the calendar. Seconded by Senator Isenberg and lost.

Third Reading of Senate Bill No. 165, entitled "An Act appropriating money for the reimbursement of certain Road Funds."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris and Woods—14.

Noes: None.

Not Present: Senator Wilcox—1.

Third Reading of House Bill No. 28, entitled "An Act relating to Passenger Vehicles and Drivers and to Regulate and License the same."

Senator J. T. Brown moved that the bill be deferred until Wednesday, the 15th. Seconded by Senator McCandless and carried.

Third Reading of House Bill No. 157, entitled "An Act to Provide for the Acquisition by the Territory of Hawaii of the Kaaikahi and Kahuawai Springs of Pauoa Valley and the waters thereof."

Senator Baldwin moved that the bill be referred back to the special committee. Seconded by Senator McCandless and carried.

Third Reading of Senate Bill No. 136, entitled "An Act to provide a High School in Hilo, Island and Territory of Hawaii, under the Department of Public Instruction of the Territory."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Second Reading of Senate Bill No. 50, entitled "An Act to Regulate the Practice of Medicine and Surgery in the Territory of Hawaii, and for the appointment of a Board of Medical Examiners."

Senator McCandless moved that the bill be laid on the table. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 135, entitled "An Act to reorganize the Militia of the Territory of Hawaii."

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Isenberg and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Isenberg and carried.

Third Reading of Senate Bill No. 92, entitled "An Act relating to Negotiable Instruments, being an Act to establish a law uniform with the laws of other States and Territories on that subject."

Senator Achi moved that the bill be taken up this evening. Seconded by Senator Isenberg and carried.

Third Reading of Senate Bill No. 138, entitled "An Act amending and repealing certain laws relative to Liquid Explosives."

Senator McCandless moved that the bill be referred back to the committee on Miscellaneous Petitions. Seconded by Senator Isenberg and carried.

Third Reading of Senate Bill No. 157, entitled "An Act relating to the Exemption of Taxes of the Pacific Heights Electric Railway Co., Limited."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, McCandless, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: Senators Kalaauokalani and Kaohi—2.

Excused from Voting: Senator C. Brown—1.

Third Reading of Senate Bill No. 162, entitled "An Act to enable Police to Suppress Gambling and Gaming."

Senator C. Brown moved to amend by striking out the words "without any warrant therefor" in line 3 and inserting the words "when obtaining a warrant therefor which said warrant may be sworn to on information and belief and the names of the persons therein be fictitious," and to strike out the words "without first obtaining a search warrant therefor" at the end of Section 1. Seconded by Senator Isenberg.

Senator Dickey moved as an amendment to the amendment to strike out the word "obtaining" and insert the words "he has obtained." Senator C. Brown accepted the amendment, which carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: Senator Kaohi—1.

Third Reading of Senate Bill No. 164, entitled "An Act making Special Appropriations for the Departmental use of the Territory to pay the Unpaid Bills up to the First Day of July, A. D. 1903."

Senator Paris moved to insert item of "Waiialua Soda Works \$12.50." Seconded by Senator Woods and carried.

At 12 o'clock Senator C. Brown moved to take a recess until 2 o'clock. Seconded by Senator J. T. Brown and carried.

### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Third Reading of Senate Bill No. 164, continued.

Senator McCandless moved to insert item of "Ambrose K. Hutchinson, \$544.00." Seconded by Senator Isenberg and carried.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless, Wilcox and Woods—10.

Noes: None.

Not Present: Senators Achi, Baldwin, Kaohi, Nakapaahu and Paris—5.

Second Reading of Senate Bill No. 149, entitled "An Act to regulate and license Insurance Business in this Territory."

Senator Isenberg moved that the bill be deferred until Wednesday, the 15th. Seconded by Senator Woods and carried.

Second Reading of Senate Bill No. 159, entitled "An Act for the Protection of Life and Property against Explosives, and to amend Chapter 89 of the Penal Code of 1869, Sections 1, 2, 3, 3a, 4, 5, 6, 7, 8 and 9 thereof, and to add new Sections thereto to be known as Sections 10, 11, 12, 13."

Senator Isenberg moved that the report of the committee be adopted. Seconded by Senator Nakapaahu and carried.

Senator Isenberg moved that the bill be read third time tomorrow. Seconded by Senator Nakapaahu and carried.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 172 and 184 printed and ready for distribution.



Second Reading of House Bill No. 5, entitled "An Act Providing for the Drawing, Summoning and Empaneling of Grand and Trial Jurors." Referred to the Judiciary Committee.

Second Reading of House Bill No. 69, entitled "An Act amending Section 1 of Act 20 of the Session Laws of 1901." Referred to the Judiciary Committee.

Second Reading of House Bill No. 144, entitled "An Act authorizing and providing for the sale of licenses to sell Opium or a preparation thereof and the issuance of such licenses; and defining the duties and powers in regard thereto of the Treasurer and Police Department; and defining and prohibiting an Opium smoker's den; and repealing all other laws and parts of laws in conflict herewith." Referred to the Committee on Public Expenditures.

Second Reading of House Bill No. 99, entitled "An Act to Designate Two Pay-Days in a month for the government employees and officials of the Territory of Hawaii."

Senator Isenberg moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Second Reading of Senate Bill No. 172, entitled "An Act to amend Acts regulating the Practice of Medicine in the Territory of Hawaii." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 184, entitled "An Act to amend Chapter 57 of the Session Laws of 1892, entitled 'An Act to reorganize the Judiciary Department,' by adding thereto a new Section to be called Section 43a, providing for the enforcement of decrees in equity."

Senator Baldwin moved that the bill pass second reading. Seconded by Senator McCandless and carried.

Senator Isenberg moved that the bill be read third time tomorrow. Seconded by Senator J. T. Brown and carried.

Senator Isenberg moved to reconsider the action taken on Senate Bill No. 92. Seconded by Senator Baldwin and carried.

Senator Isenberg moved that the bill be now considered. Seconded by Senator Baldwin and carried.

Third Reading of Senate Bill No. 92, entitled "An Act Relating to Negotiable Instruments, being an Act to establish a law uniform with the laws of other States and Territories on that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless, Nakapaahu, Wilcox and Woods—10.

Noes: Senator Paris—1.

Not Present: Senators Achi, Baldwin, C. Brown and Kaohi—4.

At 3:30 o'clock Senator Isenberg moved to adjourn. Seconded by Senator J. T. Brown and carried.

*William Spidgely*

Clerk of the Senate.

Approved by the Senate:

*Clarence L. Crabbe*

President of the Senate.

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#### FORTY-EIGHTH DAY.

Tuesday, April 14th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators C. Brown and Kaohi absent.

The Journal of the Forty-seventh Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Nakapaahu, approved as read.

A message from the Governor vetoing a bill entitled "An Act for the incorporation of Societies for the prevention of cruelty to children" was read by the Clerk, as follows:

Executive Chamber,  
Territory of Hawaii,  
Honolulu, Apl. 13th, 1903.

To the Legislature of the Territory of Hawaii:

I am unable to approve of a Bill entitled "An Act for the incorporation of societies for the prevention of cruelty to children," received from the Joint Committee of the Legislature, April 4th, and herewith return the same without my signature.

My objections to this Bill are as follows:

Section 2 of the said Bill provides that the persons qualifying, as required in the previous Section, and their associates and successors, shall be a "body politic incorporate," which words convey a status inappropriate to a private corporation, inasmuch as a body politic incorporate is a corporation partaking of the governing powers of the State,—as a municipal corporation.

Section 5 contains clerical errors, which, although not changing or destroying the meaning of the Section, should be corrected.

SANFORD B. DOLE,  
Governor.

Senator Dickey moved that action be deferred until tomorrow. Seconded by Senator McCandless and carried.

Senator Baldwin moved to reconsider the action taken on the message of the Governor. Seconded by Senator Dickey and carried.

Senator Baldwin moved that action be deferred until this afternoon. Seconded by Senator Dickey and carried.

A communication from the Secretary of the Territory announcing that the Governor had signed Acts 25, 26, 27, 28 and 29 was read by the Clerk, as follows:

Honolulu, H. I., April 13th, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on the 13th instant:

"Act 25. An Act to Regulate the Manner of Giving Notices of Meetings of Boards of Registration."

"Act. 26. An Act to Amend Sections 1292, 1295 and 1296 of the Civil Code, Relating to Married Women."

"Act 27. An Act Relating to Mongoose, Repealing Section 2 of Chapter XLVIII of the Session Laws of 1892."

"Act 28. An Act Relating to Marriage Contracts, amending Section 1 of Chapter XXIII of the Session Laws of 1872."

"Act 29. An Act to amend Section 426 of the Civil Code, (Section 2009 of the Civil Laws of 1897)."

Very respectfully yours,

G. R. CARTER,  
Secretary of the Territory.

A communication from the House of Representatives announcing the passage of Senate Bill No. 84, was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 13th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bill No. 84, entitled "An Act to Provide for the Incorporation and Government of Cities within the Territory of Hawaii," which has this day passed its Third Reading in the House of Representatives, Territory of Hawaii.

Very respectfully,

S. MEHEULA,  
Clerk.

A communication from the House of Representatives transmitting House Concurrent Resolution No. 11 was read by the Clerk, as follows:

Honolulu, H. T., April 13th, 1903.

To the Honorable President  
and Senate of the  
Territory of Hawaii.

I have the honor to herewith transmit a duly certified copy of House Concurrent Resolution No. 11, which was adopted by the House of Representatives of the Territory of Hawaii on the 11th day of April, A. D. 1903.

S. MEHEULA,  
Clerk.

Approved:

F. W. BECKLEY,  
Speaker.

#### HOUSE CONCURRENT RESOLUTION NO. 11.

Whereas, tenders were called for by the Superintendent of Public Works for curbing the walks of Thomas Square, and  
Whereas, the lowest tender received for said work was \$1,086.75 from C. B. Dwight, and

Whereas, the Auditor had notified the Superintendent of Public Works that the work cannot be charged to the appropriation of "Curbing and Paving Government Sidewalks", and

Whereas, the said Contractor has commenced work and the non-payment of the amount of said contract upon the completion of said work would be a hardship to him.

Now, Therefore, be it Resolved by the House of Representatives, the Senate Concurring, That the Superintendent of Public Works is hereby authorized to pay out of the Appropriation for "Curbing and Paving Government Sidewalks" the above amount of \$1,086.75 to the Contractor upon the completion and acceptance of said work by the said Superintendent of Public Works.

Senator Achi moved that the resolution be referred to the committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Dickey and carried.

Senator C. Brown for the Conference Committee on Senate Bill No. 1 reported as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Joint Conference Committee to whom was referred Senate Bill No. 1, commonly known as the County Bill, report that they have been in session and have had the differences between both branches of the Legislature under consideration and have agreed upon a settlement of such differences and amendments made by the House of Representatives, to such Bill.

The Conference Committee adopted and concurred in the amendments made as follows:

1st. The title to the Bill to be "An Act providing for the Organization and Government of Counties and Districts and the Management and Control of Public Works and Public Institutions therein."

2d. In sub-division "a" of Section 1, strike out the words "within a limit of three nautical miles of the shores thereof", after the word "Islands" on page 1, and insert in their place the words "of the Territory not included in any other County, and the waters adjacent thereto." This amendment places all other islands included within the area composing this Territory that lie without the three nautical mile limit within the jurisdiction of the County of Oahu.

3rd. In Sub-division "b" of Section 1 on line 8, page 2, after the word "thereof" insert the words "and the waters adjacent thereto."

4th. In Sub-division "c" after the word "thereof" on line 18 insert the words "and the waters adjacent thereto."

5th. In Sub-division "d" between the words "thereof" and "shall" insert the words "and the waters adjacent thereto."

6th. In Sub-division "e" between the words "thereof" and "shall" insert the words "and the waters adjacent thereto."

7th. Section 13 we recommend read as follows:

"Section 13. The County of Oahu shall have a Board of Supervisors consisting of seven members, two members thereof to be elected from the Fourth District, two members from the Fifth District and the remaining three to be elected at large, and without regard to their place of residence within said County. Each other of the several Counties of the Territory shall have a Board of Supervisors consisting of five members.

"The pay of Supervisors of each County for the services rendered by them shall be Fifty Dollars a month for each Supervisor to be paid out of the County Funds."

8th. We recommend amending Section 14 by inserting at the beginning thereof the following words "Except for the County of Oahu."

9th. We recommend amending Section 15 by inserting after the words "Supervisors of the County" the following words "the remaining members shall fill the vacancy; but in the case of a tie the Governor of the Territory shall fill the vacancy", and by striking out after the word "County" the following: "Governor of the Territory shall fill the vacancy."

10th. In Sub-division 6 on page 17, and sub-division 12 on page 18 of Section 22, line 6, of Section 31, and in line 5 of Section 32 on page 25 insert in after the words "four-fifths" wherever they may occur, the words "or six-sevenths vote order as the case may be." This amendment is made necessary by reason of the change in the number of Supervisors for the County of Oahu.

11th. In Section 46, line 7, page 32, insert after the words "United States" the words "and the laws of the Territory of Hawaii."

12th. In Section 48 strike out the words "members of the Road Board." This amendment is made necessary by reason of doing away with the Road Boards as now constituted and placing the care, maintenance and repairs of roads and bridges in the hands of the Board of Supervisors, who will appoint a Road Supervisor for each County or District as the case may be.

13th. In Section 52 on the last line strike out the word "Governor" and insert the words "Board of Supervisors"; this places the appointment of District Magistrates with the Board and takes the power from the Governor.

14th. Section 181 of Chapter 21, after the words "County Clerk" insert the words "and Recorder." This simply amends the title to this Chapter to agree with the rest of the Act.

15th. Amend Section 181 by adding a new sub-division thereto to be called 3, and to read as follows:

"3. And be the Recorder of the County and discharge all the duties of that office as provided by Chapter 18 of this Act."

16th. Amend the title to Chapter 23 by striking out the words "Road Board and" and in Section 184 strike out the words "Road Board and" at the commencement of that Section.

17th. Amend Section 199 by striking out the words "one thousand" and inserting in their place "eighteen hundred": this places the exemption allowed in making income tax returns at eighteen hundred dollars instead of one thousand.

18th. Amend Section 303 by striking out the words "twenty-five" and insert "fifteen" in their place; this makes the annual fee for a billiard or bowling alley \$15 instead of \$25.

20th. Amend Section 316 by striking out the word "ten" and inserting the words "twenty-five"; this makes the annual fee to butcher or sell pork \$25 instead of \$10.

21st. Amend Section 329 by striking out the word "ten" and inserting the word "five." This reduces the annual license fee of a Notary Public to \$5.

22nd. Amend Section 356 in the third paragraph thereof by inserting after the words "published in" the following: "the County, in English or Hawaiian; but, if no newspaper is published in the County, then by posting such notice in three conspicuous places in the County, one of which shall be the County Court House," and strike out the word "English" after the words "published in."

23rd. Amend the title to Chapter 58 by striking out the word "cake" and add a new Section to be called

"Section 359A. The annual license to peddle merchandise shall be Fifty Dollars."

And in Section 360 after the word "cake" insert the words "or merchandise."

24th. Amend Section 370 by striking out on the second line after the word "Road" the following words "Board consisting of three members for each District within its County. The members of the Road Board shall serve without compensation"; and insert in their place the words "Supervisor for each District within its County who shall receive such compensation as such Board may determine."

25th. Amend Sections 371, 372, 373, 374, 375, 376, 377, 378 and 379 as recommended by the House amendments. The amendments so made and adopted by the Conference Committee are made necessary by reason of doing away with the

Road Boards and placing the work and duties heretofore performed by them with a Road Supervisor under the control and direction of the Supervisors.

26th. Amend Section 475 by striking out after the words "to be filled" all the rest of the Section, and inserting in the place thereof the following words "according to the manner provided in Section 15, Chapter 5, of this Act relating to the Board of Supervisors."

We, therefore, recommend that Senate Bill No. 1 providing for the organization and government of Counties, be amended as herein recommended, and that this report be adopted by the Senate and House of Representatives respectively.

Dated, Honolulu, April 13th, 1903.

Respectfully submitted,

CECIL BROWN,  
J. D. PARIS,  
S. W. WILCOX,  
S. E. KAIUE,  
JOHN T. BROWN,  
D. KALAUOKALANI,  
H. P. BALDWIN,  
JOHN K. GANDALL,  
R. W. AYLETT,  
HENRY C. VIDA,  
S. KELIINOI,  
W. W. HARRIS,  
A. FERNANDEZ,  
H. M. KANIHO.

The report of the committee was adopted and the bill duly passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris and Wilcox—14.

Noes: None.

Not Present: Senator Woods—1.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 138, as follows:

Honolulu, T. H., April 14th, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred Senate Bill No. 138, has had the same under consideration.

The Act is the same as the present law, except that the words referring to importation are stricken out.



It has been called to the attention of your committee that the law as it stands prohibits the use of gasoline lamps, gasoline launches, etc. The law has been a dead letter, as gasoline is in general use for many purposes in the Territory.

The safety of the public is well guarded by the laws of the United States in regard to transportation of explosives, and the laws of the Territory in regard to storage and sale of kerosene, petroleum, naphtha or gasoline.

Your committee recommends the following amendments:

Amend title to read "An Act to repeal certain Laws relative to Liquid Explosives."

Amend Section 1 by inserting in line 2 after the word "Laws" the words "and Section 1 of Chapter 22 of the Laws of 1878 (Penal Laws, Section 1519) are", also to strike out the word "is" in same line.

Amend Section 3 by making it read Section 2.

With these amendments your committee recommend the passage of the Act.

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Dickey moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator McCandless and carried.

Senator Baldwin for the Committee on Ways and Means reported on the Petition from H. W. Almy as follows:

Honolulu, T. H., April 14, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred a Petition from H. W. Almy for the return of \$693.22, for the unexpired term of a license to sell liquor at the Waikiki Inn, begs leave to report.

The petitioner submits the following facts: that while in charge of the Waikiki Inn, he, on October 31st, 1901, obtained a retail license to sell liquor; that on February 3rd, 1902, the lease and furniture of the Waikiki Inn were sold under fore closure proceedings to L. H. Dee, who took out another liquor license in his own name; that he tendered the surrender of his unexpired license to W. H. Wright, Treasurer of the Territory, with the request that he issue a new license in the name of L. H. Dee for the unexpired term. This the Treasurer refused to do, on the ground that there was no law that would permit him to do so.

The petitioner states that since that time the license for the Maile Saloon on King Street, in the name of C. H. Brown, was surrendered, and a new license for the same premises was issued in the name of John D. Holt, for the unexpired term.

For the above reasons the petitioner requests that \$693.22 be refunded to him for the time his license was not used, as during that time the business was carried on at the Waikiki Inn under the license of L. H. Dee.

The law does not allow the Treasurer to take the surrender of any license issued to sell liquor, or for any other purpose, and refund the holder for the unexpired term of the license. Money received and turned into the Treasury for Licenses is turned in as a Government Realization, and cannot be paid out again, except by appropriation of the Legislature. Nor does the law authorize the Treasurer to transfer a license issued in the name of any party to another party for an unexpired term of the same, and it has not been the practice to do this.

As stated in the petition, a license to sell liquor was granted in 1902 to C. H. Brown, and shortly after, transferred to J. D. Holt. It appears that C. H. Brown and J. D. Holt were partners under this license, but as a license cannot be issued in the name of a partnership, it was issued in the name of C. H. Brown. The partners quarrelled and Brown, wishing to withdraw from the business, the Treasurer allowed him to surrender the license, and another was issued in the name of J. D. Holt.

It is seldom, however, that the Government has transferred licenses, but they have often permitted the licensee to change the place at which he is permitted to sell liquor under the license, and would undoubtedly have granted this privilege to H. W. Almy, had he made the request.

It is the opinion of your committee that it is not wise for the Government to transfer licenses that have been issued, or for the Legislature to establish the precedent of refunding a licensee for the unexpired term of his license, which for reasons of his own he may throw up.

We do not recommend the granting of the petition.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Paris and carried.

Senator C. Brown for the Judiciary Committee reported on House Bill No. 5, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred House Bill No. 5, report that they have had same under consideration. The Act was introduced for the purpose of providing for the drawing, summoning and empanneling of grand and trial jurors, and to repeal existing law, in order that a law be on our statute book that would conform to the Organic Act and follow the changed conditions caused by annexation and made necessary by that event. This law has had the scrutiny and examination of the Chief Justice, a Circuit Judge and a committee of the Bar Association of the Territory, and has their recommendation as being necessary and proper legislation. We, therefore, recommend the passage of the Act.

Honolulu, April 14, 1903.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI.

Senator Baldwin moved that the report of the committee be adopted. Seconded by Senator C. Brown and carried.

Senator C. Brown for the same committee reported on House Bill No. 69, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred House Bill No. 69, report that the Act in question amends Section 1 of Act 20 of the Session Laws of 1901, by raising the exemption allowed every person in making returns for Income Tax from One Thousand to Two Thousand Dollars. As the County Bill which has been in conference places the exemption at \$1,800, we recommend that the Act, if taken up for consideration, be amended by striking out the words "two thousand dollars" and inserting in their place the words "eighteen hundred dollars" to make this law agree with the County Bill. But, as the County Bill has already amended the law in this particular, it is hardly necessary to pass the bill now under consideration; it will do no harm, however, to pass it. We leave the matter with the Senate.

Honolulu, April 14th, 1903.

Respectfully submitted,

CECIL BROWN.

We believe under the circumstances the bill ought to be laid on the table.

W. C. ACHI,  
PALMER P. WOODS.

Senator Isenberg moved that the majority report of the committee be adopted. Seconded by Senator McCandless and carried.

Senator Isenberg for the Special Committee, to which was referred House Bill No. 157, reported as follows:

Honolulu, T. H., April 17, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Special Committee, to whom was returned House Bill No. 157, beg leave to recommend the following amendments to the Bill:

Respectfully submitted,

D. PAUL R. ISENBERG,  
Chairman.

C. H. DICKEY,  
S. E. KAIUE,  
CECIL BROWN,  
JOHN T. BROWN.

Amend title so as to read "An Act to Provide for the Acquisition by the Territory of Hawaii of the Kaaikahi and Kahawai Springs of Pauoa Valley and the Waters thereof, and for a Reservoir Site for the storage of same.

Amend second line of Section 1 by inserting between the word "Purchase" and the word "for" the following, to-wit: "or otherwise acquired."

Strike out all after the word "thereof" in the third line of said Section 1 and insert in lieu thereof the following, to-wit: "The land whereon such Springs are situated and to pay the several owners thereof each a pro rata portion of the sum of money hereinafter appropriated according to their several right of user of the water of said Springs and their interests in said land."

Strike out Section 2 and insert in lieu thereof the following, to-wit:

"Section 2. Said Superintendent of Public Works shall acquire said water and land of the owners thereof together with any right of way for pipe line to convey said water to the Government main."

Strike out Section 3 and insert in lieu thereof the following, to-wit:

"Section 3. The said Superintendent of Public Works may in his discretion furnish any tenant having irrigation privileges with water in lieu of acquiring by condemnation their rights as

tenants therein, and may charge rates thereof against the owners of said land at regular government water rates for the unexpired terms of their outstanding leases."

Insert new Section as follows:

"Section 4. The sum of \$150,000 is hereby appropriated for the purpose of acquiring the water and land aforesaid. And the Superintendent of Public Works is directed to make the purchase as promptly as possible, approving vouchers for the amounts due the various owners for the purchase of their shares immediately after the same is ascertained. Warrants shall issue immediately on the same and be paid by the Treasurer from the first funds in the Treasury not required by the current expenses of the Territory."

"Section 5. The sum of \$5,000 is hereby appropriated for the purpose of acquiring a site in Pauoa Valley for a reservoir for said water."

"Section 6. This Act shall take effect upon the day of the date of its approval."

Senator C. Brown moved that the report be referred to the Clerk to have the bill typewritten and that the bill be made the special order of the day for tomorrow. Seconded by Senator J. T. Brown and carried.

Senator Achi introduced a Joint Resolution that the Secretary of the Territory be instructed to have 2,500 copies of the County Bill printed in both the English and Hawaiian languages, as follows:

#### CONCURRENT RESOLUTION.

Be it Resolved by the Senate, the House of Representatives concurring. That the Secretary of the Territory is hereby authorized to print the County Act at 2,500 copies each in Hawaiian and English after it is approved by the Governor, and distribute the same in the Territory, charging nothing for the same; the expenses of the same to be inserted in the Appropriation Bill.

Dated, Honolulu, April 14, 1903.

W. C. ACHI,  
Senator 3rd District.

Senator Dickey moved that the resolution be referred to the Committee on Ways and Means. Seconded by Senator Wilcox and carried.

Senator Paris gave notice of intention to introduce an Act entitled "An Act to amend Section 11 of Act 64, Session of 1898 in regard to Pounds and Estrays."

Under suspension of the rules Senator Paris introduced a bill entitled "An Act to amend Section 11 of Act 64a, Session Laws of 1898."

Senator Achi moved that the bill pass first reading. Seconded by Senator Dickey and carried.

Senator Achi moved that the bill be read second time tomorrow. Seconded by Senator Paris and carried.

The Senate proceeded with the order of the day.

Third Reading of Senate Bill No. 135, entitled "An Act to Reorganize the Militia of the Territory of Hawaii."

Senator Achi moved to strike out Section 13. Seconded by Senator Dickey and carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Nakapaahu, Paris and Wilcox—12.

Noes: Senator McCandless—1.

Not Present: Senators Kaohi and Woods—2.

Third Reading of Senate Bill No. 141, entitled "An Act relating to Building Permits in Honolulu, amending Section 2, of Chapter XVI. of the Laws of 1886 as amended by Chapter LXXII. of the Laws of 1890 (Penal Laws, Section 1079)."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless Nakapaahu, Paris and Wilcox—13.

Noes: None.

Not Present: Senators Kaohi and Woods—2.

Third Reading of Senate Bill No. 159, entitled "An Act for the protection of life and property against Explosives, and to amend Chapter 89 of the Penal Code of 1869, Sections 1, 2, 3, 3a, 4, 5, 6, 7, 8 and 9 and to add new Sections thereto to be known as Sections 10, 11, 12 and 13."

At 12 o'clock Senator C. Brown moved to take a recess until 2 o'clock. Seconded by Senator J. T. Brown and carried.

#### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

A communication from the House of Representatives transmitting House Bills Nos. 134, 71 and 141, was read by the Clerk, as follows:

## SENATE JOURNAL.

House of Representatives,  
Honolulu, T. H., April 13th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith:

House Bill No. 134, entitled "An Act to amend Sections 1 and 2 of the Session Laws of 1898, entitled 'An Act to Convert Land of Kaliu and Makiki, Honolulu, into free public recreation grounds, and to maintain the same as such under the supervision of the Minister of the Interior.'"

House Bill No. 71, entitled "An Act to amend Section 424 of the Penal Laws relating to the illegal manufacture for sale of spirituous liquors and substances", and

House Bill No. 141, entitled "An Act to amend Section 1 of Chapter 37 of the Penal Code as amended by Act 36 of the Session Laws of 1896,"

which have passed their respective third readings in the House of Representatives this 13th day of April, 1903.

Respectfully submitted,

SOLOMON MEHEULA,  
Clerk.

A communication from the House of Representatives announcing that the House had adopted the report of the Conference Committee on Senate Bill No. 1, was read by the Clerk, as follows:

Honolulu, H. T., April 14, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to inform your honorable body that the House of Representatives, Territory of Hawaii, has this day adopted the report of the Conference Committee on Senate Bill No. 1, known as the County Bill, thereby passing the said Bill finally on its Third Reading in this House.

Respectfully submitted,

S. MEHEULA,  
Clerk.

A communication from the House of Representatives transmitting House Bill No. 72 was read by the Clerk, as follows:

Honolulu, H. T., April 14, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith transmit House Bill No. 72, entitled "An Act to prohibit the employment of any person not a citizen of the Territory of Hawaii, as a laborer upon any public work of any kind, manner or description in the Territory of Hawaii, by a Public Officer, servant or agent of the Territory of Hawaii, or by any Contractor under and with the Territory of Hawaii; and provide a penalty for the violation of such Act", which has duly passed its Third Reading in the House of Representatives on the 13th day of April, 1903.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

Third Reading of Senate Bill No. 159, continued.

The following amendments were made:

Section 1. The words "Fire Marshal or" stricken out of line 45 and the word "his" substituted for the word "their" in line 46.

Section 3. The words "at least one and one-half inches in height and proportionate width" stricken out of lines 9 and 10.

Section 4. Stricken out.

Section 10. The word "gunpowder" inserted in place of the word "powder" in line 5.

A new Section added as follows: "Section 14. Section 4 of Chapter 89 of the Penal Code is hereby repealed."

The words "and to repeal Section 4" inserted after the figure "9" in the third line of the title.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless, Nakapaahu, Paris and Wilcox—18.

Noes: None.

Not Present: Senators Kaohi and Woods—2.

Third Reading of Senate Bill No. 170, entitled "An Act to provide for a Digest of the Hawaiian Supreme Court Reports."



The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless, Nakapaahu, Paris and Wilcox—13.

Noes: None.

Not Present: Senators Kaohi and Woods—2.

Third Reading of Senate Bill No. 184, entitled "An Act to amend Chapter 57 of the Session Laws of 1892, entitled 'An Act to reorganize the Judiciary Department' by adding thereto a new Section to be called Section 43a, providing for the enforcement of decrees in equity."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless, Nakapaahu, Paris and Wilcox—13.

Noes: None.

Not Present: Senators Kaohi and Woods—2.

Under suspension of the rules Senator Baldwin for the Committee on Ways and Means reported on House Bill No. 94, as follows:

Honolulu, T. H., April 14, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred House Bill No. 94, entitled "An Act to Encourage Diversified Industries," begs leave to report.

The Senate has passed a bill to exempt from taxation for five (5) years the Pineapple and Castor Oil Industries. This Bill adds to the list of exemptions, "Vanilla extract, Hawaiian starch and manioc starch."

Your committee are in favor of encouraging diversified industries in every way possible, and recommend the passage of the Bill, with the following amendments: Make the term of exemption five (5) years instead of ten, and add the Pineapple and Castor Oil Industries to the list of exemptions from taxation.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Isenberg moved that the report of the committee be adopted. Seconded by Senator Kalauokalani and carried.

Senator Baldwin for the same committee made a verbal report on Senate Bill No. 168 recommending that the bill pass.

Senator Isenberg moved that the report of the committee be adopted. Seconded by Senator McCandless and carried.

Senator Isenberg moved that the bill be read third time tomorrow. Seconded by Senator Achi and carried.

Third Reading of House Bill No. 99, entitled "An Act to Designate Two Pay Days in a month for the Government employees and Officials of the Territory of Hawaii."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless Nakapaahu, Paris and Wilcox—13.

Noes: None.

Not Present: Senators Kaohi and Woods—2.

Under suspension of the rules Senator Achi moved that Senate Bill No. 45 be taken from the table and referred to the Committee on Miscellaneous Petitions. Seconded by Senator Kaiue and carried.

Senator Baldwin moved that the veto of the Governor to a bill entitled "An Act for the incorporation of societies for the prevention of cruelty to children" be now taken up. Seconded by Senator Kalauokalani and carried.

The veto of the Governor was sustained by the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Isenberg, Kaiue, Kalauokalani, McCandless and Nakapaahu—9.

Noes: Senators C. Brown, Dickey, Paris and Wilcox—4.

Not Present: Senators Kaohi and Woods—2.

At 2:40 o'clock Senator Baldwin moved to adjourn. Seconded by Senator C. Brown and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

## FORTY-NINTH DAY.

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Wednesday, April 15, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin and C. Brown absent.

The Journal of the Forty-eighth Day was read and, upon motion of Senator Nakapaahu, seconded by Senator Woods, approved as read.

A communication from the House of Representatives transmitting House Bills Nos. 16, 142 and 145 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 14th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith the following House Bills which have passed their respective Third Readings in the House of Representatives, Territory of Hawaii, this 14th day of April, 1903.

House Bill No. 16, entitled "An Act to provide for and to regulate the sending of youths to the Mainland or abroad to be educated."

House Bill No. 142, entitled "An Act to amend Sections 3 and 10 of Act 21 of the Session Laws of 1893 relating to an Act to prohibit Gambling and Gaming," and

House Bill No. 145, entitled "An Act to authorize District Magistrates to Issue Commissions to take Depositions of Witnesses in Certain Cases."

Respectfully submitted,

SOLOMON MEHEULA,  
Clerk.

A communication from the Merchants' Association transmitting resolution adopted urging the passage of the bill granting a franchise to the Standard Telephone Company, Limited, was read by the Clerk, as follows:

Honolulu, H. T., April 14, 1903.

HON. C. L. CRABBE,  
President of the Senate,  
Honolulu, T. H.

Dear Sir:—I have the honor to inform you that the following resolution was passed at a meeting of the Merchants' Association held this day:

"Resolved, That the Merchants' Association address the Senate and House of Representatives now in session, urging the passage of the bill granting a franchise to the Standard Telephone Co., Ltd."

Trusting that this resolution will receive the consideration of your Honorable Body, I am,

Your obedient servant,  
Merchants' Association,  
P. R. HELM, Secty.,  
per A. BARNES, Asst. Secty.

Senator Paris moved that the communication be laid on the table to be considered with the bill. Seconded by Senator J. T. Brown and carried.

At 10:15 o'clock Senator Isenberg moved to take a recess of 10 minutes to allow the Clerk to present the County Bill to the Governor. Seconded by Senator J. T. Brown and carried.

At 10:55 o'clock the Senate re-convened.

Senator Dickey immediately moved to take a recess until 1:30 o'clock. Seconded by Senator Kalaauokalani and carried.

#### AFTERNOON SESSION.

The Senate re-convened at 1:30 o'clock.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 172, as follows:

Honolulu, T. H., April 15, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred Senate Bill 172, entitled "An Act to amend Acts regulating the practice of Medicine in the Territory of Hawaii," has had the same under consideration.

The only change from the present law is to provide a penalty to cover infringements of the law.

Your committee recommends the passage of the law with the following amendments:

Amend the title by striking out the word "Acts" and inserting in place thereof "Act 60 of the Laws of 1896."

Section 1. Insert the words "Section 1" at beginning of same. Strike out the word "proper" in line 6 and insert the word "prepared."

Strike out the words "\$250.00" in line 11 and insert the words "\$100.00."

Insert at beginning of line 3 the words "Section 6."

Let Section 1 end at close of line 11, and another Section be made of the balance, called Section 2.

Respectfully submitted,

C. H. DICKEY, Chairman.

D. PAUL R. ISENBERG,

S. E. KAIUE.

Senator Dickey moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator C. Brown and carried.

Senator Dickey for the same Committee reported on Senate Bill No. 171, as follows:

Honolulu, T. H., April 15, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred Senate Bill No. 171, has had the same under consideration.

The Act is for the purpose of making a general law on the subject of appropriations so that it will not be necessary to add it at the end of each appropriation bill. The Act also extends the provision to County and Municipality Officers.

Your committee recommends the passage of the bill.

C. H. DICKEY, Chairman,

D. PAUL R. ISENBERG,

S. E. KAIUE.

Senator McCandless moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Senator Dickey for the same committee reported on Senate Bill No. 169, as follows:

Honolulu, T. H., April 15, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred Senate Bill No. 169, entitled "An Act authorizing foreclosure and sale to enforce the lien of shipping companies and other common carriers", has had the same under consideration.

The intention of the law is to enable shipping companies and common carriers to sell goods not called for within a certain time after due advertisement.

The law is similar to the law in most of the States and Territories.

Your committee is of the opinion that the length of time allowed for non-perishable goods is too short, otherwise it is in favor of the bill.

Your committee recommends the passage of the bill, with the following amendment:

Strike out in Section 1, line 6, the word "thirty" and insert in place thereof the word "ninety."

Respectfully submitted,

C. H. DICKEY, Chairman,  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Dickey moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator J. T. Brown and carried.

Senator Wilcox for the Committee on Health and Education reported on Senate Bill No. 166, as follows:

Honolulu, T. H., April 15, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Health and Education, to which was referred Senate Bill No. 166, entitled "An Act to Regulate the Practice of Pharmacy and the Selling, Compounding and Dispensing of Drugs, Chemicals and Poisons in the Territory of Hawaii", have had the same under consideration.

Your committee finds that this Act is a very necessary one to be passed as a protection against the indiscriminate sale of poisonous drugs by irresponsible people.

Your committee recommend the passage of this Act.

Respectfully submitted,

S. W. WILCOX,  
PALMER P. WOODS.

Senator J. T. Brown moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator C. Brown and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on House Concurrent Resolution No. 11, as follows:

Senate Chamber,  
Honolulu, T. H., April 15, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Public Lands, Internal Improvements, Agriculture, etc., to which was referred House Concurrent Resolution No. 11, begs leave to report upon the same. We find the facts to be as stated in the resolution passed by the House and sent up by that body to the Senate for concurrence. The purpose of the resolution is to permit the Superintendent of Public Works to pay for certain improvements at Thomas Square park out of an appropriation for "Curbing and Paving Government Sidewalks," the work in question being of this nature. The Auditor of the Territory takes the position that he cannot approve the account unless by special authorization for the reason that the work is not strictly on sidewalks, but is for pathways within the enclosure of Thomas Square. While this is the exact fact, we believe that the spirit of the law for public improvements is not being violated in making the payment in question as proposed by the Superintendent of Public Works.

Your committee, therefore, recommends that the Senate do pass House Concurrent Resolution No. 11 as already passed by the House.

Respectfully submitted,

L. L. McCANDLESS,  
J. D. PARIS,  
J. B. KAOHI.

Senator C. Brown moved that the report be adopted. Seconded by Senator McCandless and carried.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 177, 178, 179, 180, 181, 182 and 183 printed and ready for distribution.

Under suspension of the rules Senator Dickey gave notice of intention to introduce a bill entitled "An Act for the Incorporation of Societies for the prevention of cruelty to children."

Under suspension of the rules Senator Dickey introduced a bill entitled "An Act for the Incorporation of Societies for the prevention of cruelty to children."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Paris and carried.

Senator Paris moved that the bill be read second time tomorrow. Seconded by Senator Dickey and carried.

Senator Paris on behalf of the Ways and Means Committee reported on Senate Bill No. 167, as follows:

Senate Chamber,

Honolulu, T. H., April 15, 1903.

HON CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Standing Committee on Ways and Means, to which was referred Senate Bill No. 167, begs leave now to report upon the same, having given it careful consideration. The salient feature of this proposed law is the provision for licensing certain foreign corporations doing business within the Territory of Hawaii. The constitutionality of this Act having been questioned your committee investigated that phase of it. The result was discovery that a similar law had been enacted by the Legislature of the State of Pennsylvania and upon having been carried through the Courts for test had been declared constitutional by the Supreme Court of the United States. The decision was by Mr. Justice Field.

We find that apparently this Pennsylvania law has been consulted in the preparation of Senate Bill No. 167. We believe that the practice proposed by this bill is good public policy both in adding to the revenue and placing some protection around the local merchant who pays heavy taxes, licenses, various other demands upon his resources and running expenses greatly in excess of the expenses incident to the conduct here of a branch of a foreign corporation, the latter often being little more than a sample room.

We recommend the passage of this Bill, but with the following amendment:



After the words "license fee shall have been paid" in line 8, as it reads in the printed bill, add the words "Provided, that if the fee as so computed does not amount to the sum of \$150, then such corporation shall be required to pay for said license the sum of \$150."

Respectfully submitted,

J. D. PARIS,  
S. E. KAIUE.

Committee.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Achi and carried.

Senator Isenberg for the Special Committee on Pahoa Water Works reported on Senate Bill No. 154, as follows:

Honolulu, H. T., April 15th, 1903.

HONORABLE CLARENCE L. CRABBE,

President of the Senate.

Sir:—Your Special Committee, to whom was referred Petition relating to Pahoa Water Works, and also Senate Bill No. 154, beg leave to report as follows:

We have had experts examining the Pumping Plant of the Pahoa Water Works and find the pump itself in very good condition. We also had a test made of twenty-six hours, and find that it costs \$11.76 to pump a million gallons. This item is a little high, as the Engineer could not, at such short notice, engage expert firemen, and had to use a green man who used a good deal more coal than a good fireman would have done.

Your committee also had some of the 18-inch steel rivetted pipe uncovered, and find same to be in perfect condition. The same is buried at a depth of from 3 feet to about 12 feet in places, and as long as it is covered it will last a good many years more. This was given to the committee by expert testimony.

Your Committee, with an expert Engineer, have figured out that the value of the different pipe lines, valves and fittings, etc., amounts to about \$24,450, two artesian wells, \$5,000, pumping plant, \$32,000, one and one-half acres of land where the pump and reservoir are on, \$3,000; laying pipe lines, freight, materials, etc., would amount to about \$12,000, making the value that the expert gives your committee about \$76,450.

We have not taken into consideration the reservoir at all, as we do not consider it of any value. It would take a good deal of money to have the same fixed up.

The water from the artesian wells has been analyzed by E. C. Shorey, the Government Chemist, and has been compared with other analyses made by Mr. Shorey of the waters

at Beretania Street Pumping Station, Kalihi Pumping Station and private wells, and is found to contain the smallest amount of mineral matter, and to be the most suitable for drinking purposes of any of the artesian wells of Honolulu.

Your Committee further find that at present 52 owners of property are paying water rates amounting to \$2,313 per annum. There are a great many more lots that have been sold, but which have not been occupied, and when occupied will increase the revenue on the Kaimuki land a great deal more. There is also a Petition before the Committee from the people living at Moiliili asking for water privileges from Pahoa Water Works. These residents have now no water facilities from the Government, and are very anxious to have water.

4,500 feet of 12-inch cast iron pipe, at an estimated cost of \$15,000 would connect the 18-inch main of the Pahoa system on the Kapahulu Road with the Waikiki system of the Honolulu Water Works at the junction of Leahi Avenue and Kapahulu Road.

As the committee in its former report did not favor the Government putting up any more pumps, we think it a necessity that the Government should take over these water works. The development of the Waikiki and Kaimuki sections of Honolulu necessitates the expansion of the said water works in those sections.

We, therefore, recommend that Senate Bill No. 154 be amended to read as follows: That in Section 1 the words \$100,000 be stricken out and \$76,450 be inserted in its place. In Section 2, \$100,000 be stricken out and \$76,450 be inserted in its place. With these amendments we respectfully recommend that Senate Bill No. 154 pass.

D. PAUL R. ISENBERG,  
Chairman.

S. E. KAIUE,  
CECIL BROWN,  
JOHN T. BROWN,  
C. H. DICKEY.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Woods.

After considerable discussion Senator J. T. Brown moved the previous question. Seconded by Senator C. Brown and carried.

The motion to adopt the report of the committee was then put and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator J. T. Brown and carried.

Senator J. T. Brown moved to proceed with the order of the day. Seconded by Senator Nakapaahu and carried.

Third Reading of House Bill No. 157, entitled "An Act to provide for the acquisition by the Territory of Hawaii of the Kaaikahi and Kahuwai Springs of Pauoa Valley and the waters thereof."

Senator Dickey moved to amend Section 1 by inserting after the word "Valley" the words "and all other springs or streams that furnish water to owners of water rights in said Pauoa Valley." Seconded by Senator J. T. Brown and carried.

Senator Dickey moved to insert a new Section as follows:

"Section 6. In case County Government shall have gone into effect or a City government has been adopted by Honolulu before the purchase directed by this Act is effected the Supervisors of the County or the City Council are directed to perform the acts herein made the duty of the Superintendent of Public Works and County or City warrants shall issue and be paid as provided in Section 4." Seconded by Senator C. Brown and carried.

Senator McCandless moved to insert the words "The Government to have a deed in fee simple of all the land mauka of said springs in Pauoa Valley." Seconded by Senator Achi and lost.

Senator McCandless moved to insert a new Section as follows: "The ownership of the land and springs to be taken under this Act and the values to be found for the same shall be ascertained by a Commission to be appointed for the purpose of this Act." Seconded by Senator Achi and lost.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, Nakapaahu, Wilcox and Woods—11.

Noes: Senators Achi, McCandless and Paris—3.

Not Present: Senator Baldwin—1.

At 3:40 o'clock Senator C. Brown moved to adjourn. Seconded by Senator Kalauokalani and carried.

*William Spudgey*

Clerk of the Senate.

Approved by the Senate:

*Clarence L. Crabbe*

President of the Senate.

## FIFTIETH DAY.

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Thursday, April 16th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Baldwin, Kaohi, McCandless, Paris and Wilcox absent.

The Journal of the Forty-ninth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Nakapahu, approved as read.

A communication from the House of Representatives transmitting House Bill No. 85 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 15th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill No. 85, entitled "An Act Defining and Fixing Penalties of Procurers, Pimps and Owners, Agents or Lessees, of Houses or Places used or Resorted to for the purpose of Prostitution or Lewdness," which has passed its Third Reading in the House of Representatives this 15th day of April, A. D. 1903.

Respectfully submitted,

SOLOMON MEHEULA,  
Clerk.

Senator C. Brown moved that the bill be read first time by title. Seconded by Senator J. T. Brown and carried.

First Reading of House Bill No. 85, entitled "An Act Defining and Fixing Penalties of Procurers, Pimps and Owners, Agents or Lessees of Houses or Places used or resorted to for the purpose of Prostitution or Lewdness."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator J. T. Brown and carried.

A communication from the House of Representatives transmitting House Bill No. 185 was read by the Clerk, as follows:

Honolulu, H. T., April 15, 1903.

To the Honorable President and  
Senate of the Territory of Hawaii.

I have the honor to herewith transmit the following Bill, which passed third reading in the House of Representatives of the Territory of Hawaii, on the 14th day of April, 1903, to-wit:

House Bill No. 185, entitled "An Act to Appropriate Money for the Breakwater and the wharf at Kalaupapa, Molokai."

Respectfully submitted,

SOLOMON MEHEULA,  
Clerk, House of Representatives.

Senator Dickey moved that the bill be read first time by title. Seconded by Senator J. T. Brown and carried.

First Reading of House Bill No. 185, entitled "An Act to Appropriate Money for the Breakwater and the wharf at Kalaupapa, Molokai."

Senator Kalanokalani moved that the bill pass first reading. Seconded by Senator J. T. Brown and carried.

A communication from the House of Representatives announcing that the Senate amendment to House Bill No. 99 had been concurred in by the House of Representatives, was read by the Clerk, as follows:

Honolulu, H. T., April 15th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to notify your Honorable Body that the House of Representatives has this day concurred in Senate amendment to House Bill No. 99 entitled "An Act to Designate Two Pay-days in a Month for the Government Employees and Officials of the Territory of Hawaii.

Very respectfully,

SOLOMON MEHEULA,  
Clerk.

A communication to attend the Practice Drill of the First Regiment, National Guard of Hawaii, at Kapiolani Park, on the 19th instant was read by the Clerk, as follows:

Honolulu, Hawaii, April 16th, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate,  
Territory of Hawaii.

Sir:—An invitation is cordially extended to yourself and the Members of the Senate to witness the Practice Drill of the First Regiment, National Guard of Hawaii, at Kapiolani Park, on the 19th inst. at 10:30 a. m.

Respectfully,  
J. W. JONES,  
Col. 1st Regt., N. G. H.

Senator Isenberg moved that the communication be received with thanks and placed on file. Seconded by Senator Dickey and carried.

A communication from the Secretary of the Territory announcing that the Governor had signed Act 30, was read by the Clerk, as follows:

Honolulu, H. I., April 16th, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Act on the 15th instant:

"Act 30. An Act to Authorize W. W. Dimond, His Associates, Successors and Assigns, to Manufacture and Supply Fuel and Illuminating Gas and its By-Products, in Honolulu."

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

Under suspension of the rules Senator J. T. Brown moved to take Senate Bill No. 49 off the table and place it on the order of the day. Seconded by Senator C. Brown and carried.

Senator Achi moved to take up all House Bills on first reading. Seconded by Senator Isenberg and carried.

First Reading of House Bill No. 71, entitled "An Act to amend Section 424 of the Penal Laws, relating to the illegal manufacture for sale of Spirituous Liquors and Substances."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator Achi and carried.

First Reading of House Bill No. 72, entitled "An Act to Prohibit the Employment of any Person not a Citizen of the Territory of Hawaii as a Laborer upon any Public Work of any kind, manner or description, in the Territory of Hawaii by a Public Officer, Servant or Agent of the Territory of Hawaii; or by any Contractor under and with the Territory of Hawaii; and to Provide a Penalty for the violation of such Act."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator Woods and carried.

First Reading of House Bill No. 134, entitled "An Act to amend Sections 1 and 2 of Act 29 of the Session Laws of 1898, entitled 'An Act to Convert Land at Kaliu, Makiki, Honolulu, etc., etc.'"

Senator Isenberg moved that the bill pass first reading. Seconded by Senator Dickey and carried.

First Reading of House Bill No. 141, entitled "An Act to amend Section 1 of Chapter 37 of the Penal Code, as amended by Act 36 of the Session Laws of 1896."

Senator Isenberg moved that the bill pass first reading. Seconded by Senator McCandless and carried.

First Reading of House Bill No. 16, entitled "An Act to Provide for and to Regulate the sending of Youths to the Mainland or Abroad to be Educated."

Senator Achi moved that the bill pass first reading. Seconded by Senator Isenberg and carried.

First Reading of House Bill No. 142, entitled "An Act to amend Sections 3 and 10 of Act 21 of the Session Laws of 1893, relating to an Act to Prohibit Gambling and Gaming."

Senator Isenberg moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

First Reading of House Bill No. 145, entitled "An Act to Authorize District Magistrates to Issue Commissions to take Depositions of Witnesses in Certain Cases."

Senator Isenberg moved that the bill pass first reading. Seconded by Senator McCandless and carried.

Second Reading of Senate Bill No. 132, entitled "An Act Authorizing the Issuing of Two Million, Six Hundred and Fifteen Thousand, Five Hundred and Seventy Dollars of Bonds of the Territory of Hawaii, with interest coupons attached,

within the biennial period that will end on the 30th day of June, 1905, and to define the purposes for which the money obtained therefrom shall be expended."

Senator McCandless moved that the Joint Resolution limiting the Issue to One Million Dollars, be now considered. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the Joint Resolution be indefinitely postponed. Seconded by Senator Achi.

Senator McCandless moved that the ayes and noes be called. Seconded by Senator Dickey and carried.

The motion to indefinitely postpone the Joint Resolution was then put and carried on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, Nakapahu, Paris, Wilcox and Woods—13.

Noes: Senator McCandless—1.

Not Present: Senator Baldwin—1.

Senator C. Brown moved that the item "Reorganization of the wharf system, Honolulu, pass at \$200,000.00." Seconded by Senator J. T. Brown.

Senator McCandless moved that the item pass at \$300,000.00. Seconded by Senator Achi and lost.

Senator Isenberg moved that the item pass at \$250,000.00. Seconded by Senator Achi and carried.

Senator Dickey moved that the item "Reconstruction and Repairs, Judiciary Building, \$45,000.00" be stricken out and inserted in the Appropriation Bill.

The President here called Senator Isenberg to the Chair.

The motion to strike the item out was then put and carried.

Senator Achi moved that the item "New Court House, Jail and County Building, Wailuku, \$25,000.00," be stricken out. Seconded by Senator McCandless.

Senator Crabbe moved that the item pass at \$20,000. Seconded by Senator Achi.

The motion to strike out the item was then put and lost.

Senator Kaiue moved that the item pass at \$25,000. Seconded by Senator Kalaauokalani and carried.

Senator Achi moved that the item "New Penitentiary, Oahu (partial completion; completion of plans to cost \$150,000 more), \$100,000," pass at \$250,000. Seconded by Senator McCandless.

Senator Kalaauokalani moved that the item pass as in the bill. Seconded by Senator C. Brown.

The motion of Senator Achi to pass at \$250,000 was then put and lost.



Senator McCandless moved that the item pass at \$150,000. Seconded by Senator Achi.

The motion to pass as in the bill was then put and carried.

Senator C. Brown moved that the item "Repairs and Reconstruction Oahu Jail, \$20,000," be stricken out. Seconded by Senator Kalaauokalani.

Senator McCandless moved that the item be amended to read: "New Jail, Oahu, \$20,000." Seconded by Senator Achi and carried.

Senator Crabbe moved that the item "New Jail, Hilo, \$16,000," pass as in the original bill. Seconded by Senator Achi and carried.

Senator J. T. Brown moved to insert item "New County Buildings, Hilo, \$20,000." Seconded by Senator C. Brown and carried.

Senator Achi moved that the item "New Insane Asylum, Oahu, \$75,000," pass at \$60,000. Seconded by Senator Crabbe and carried.

Senator Crabbe moved that the item "Sewerage, Honolulu, \$83,820," pass as in the bill. Seconded by Senator C. Brown and carried.

Senator Achi moved to insert new item of "Sewerage, Kalihi, provided Kamehameha Trustees pay \$7,500—\$17,500." Seconded by Senator Woods.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Woods.

The motion of Senator Achi was then put and carried.

At 11:55 o'clock Senator J. T. Brown moved to take a recess until 2 o'clock. Seconded by Senator Woods and carried.

### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Senator Kalaauokalani moved that the item "School Houses and Teachers' Cottages, Island of Oahu, \$134,700," pass at \$155,400. Seconded by Senator McCandless and carried.

Senator Dickey moved that the item "Branch Road to Upper Nahiku Lots, \$10,000," be reduced to \$2,500. Seconded by Senator Kalaauokalani and carried.

Senator Dickey moved that the item "Horse Trail, Nahiku to Kailua, \$5,000," pass as "Road, Nahiku to Kailua, \$50,000." Seconded by Senator Kaiue and carried.

Senator Dickey moved that the item "Nuuanu Reservoir, No. 4, \$150,000," pass at \$50,000. Seconded by Senator Kaiue and carried.

Under suspension of the rules Senator Isenberg for the Special Committee on Water Works, reported as follows:

Honolulu, H. T., April 16th, 1902.

HONORABLE CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Special Committee, to whom was referred the item of \$150,000 for Reservoir site at Nuuanu Valley, and also to whom was referred the item of \$60,000 for a Filtration Plant at the same place, beg leave to say that after careful examination by the committee, together with experts, of the sites where this reservoir was to be built, they have come to the conclusion that it would be impracticable to build such a large reservoir, and, therefore, recommend that \$75,000 be appropriated for a smaller reservoir up Nuuanu Valley.

They also recommend that the item for a Filtration Plant be reduced to \$30,000. They find out from expert testimony that for \$30,000 a good Filtration Plant can be built, and, therefore, move that the item of \$150,000 be stricken out and \$75,000 be put in its place, and that the item of \$60,000 be stricken out and \$30,000 be put in its place.

With these amendments we move that the items pass in the Loan Bill.

Respectfully submitted,

D. PAUL R. ISENBERG,  
JOHN T. BROWN,  
S. E. KAIUE,  
C. H. DICKEY,  
CECIL BROWN.

Senator Kalaauokalani moved that the report of the committee be adopted. Seconded by Senator Paris and carried.

The President here called Senator Isenberg to the Chair.

Senator C. Brown moved that the item "High Lift Reservoir and Pipe, \$25,000," pass as in the bill. Seconded by Senator Achi and carried.

Senator McCandless moved that the item "Purchase of Sixty Thousand Feet of 8-inch Cast Iron Pipe and Forty Thousand Feet of 6-inch Cast Iron Pipe, \$175,000," be amended to read "Purchase of One Hundred Thousand Feet of Cast Iron Pipe, \$175,000." Seconded by Senator C. Brown and carried.

Senator C. Brown moved to amend Section 4 by adding after the words "Road Boards" the words "or Road Supervisors" wherever they occur in the Section. Seconded by Senator Crabbe and carried.

Senator Crabbe moved to reconsider Section 4. Seconded by Senator C. Brown and carried.

Senator Crabbe moved to strike out the words "or Road Supervisors," after the words "Road Boards" wherever they occur in this Section. Seconded by Senator Dickey and carried.

Senator McCandless moved to insert a new Section as follows:

"Section 8. Any public official who shall falsely certify or approve for payment any bill or voucher against any item of this Act shall be deemed guilty of a misdemeanor, for which the offender shall, on conviction thereof, be fined not less than Fifty Dollars nor more than Five Hundred Dollars." Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill be read third time tomorrow. Seconded by Senator Crabbe and carried.

Second Reading of Senate Bill No. 107, entitled "An Act making Special Appropriations for the Departmental use of the Territory during Six Months from July 1st, A. D. 1903, which will end with the 31st day of December, A. D. 1903."

The following amendments were made under the head of "Office of the Secretary of the Territory:"

Item "Expenses of Election, \$5,000," increased to \$20,000. Item "Printing and Advertising, \$250," amended to read "Printing and Advertising and Distribution of the County Bill gratuitously, \$6,000."

Senator Wilcox moved that the item "Expenses Fifth Circuit Court" be increased to \$8,000. Seconded by Senator Woods and carried.

Senator C. Brown moved to here insert the following:

"Not more than one-fourth, one-half or three-fourths of any of the foregoing appropriations for expenses of courts shall be drawn before the expiration of one-fourth, one-half or three-fourths respectively of the period for which such appropriations are made." Seconded by Senator McCandless and carried.

Senator C. Brown moved to insert item of "E. P. Dole, Services as Counsel to Washington on Government Business, \$1,000." Seconded by Senator Dickey and carried.

Senator Achi moved that the item "Incidentals, Civil and Criminal Cases," be increased to \$39,000. Seconded by Senator Kalaokalani and carried.

Senator Paris moved to insert new item of "Expenses Defending Fishery Cases, or as much as is needed thereof at Washington, \$10,000." Seconded by Senator McCandless and carried.

Senator Crabbe moved that the item "Expenses of Territorial Building and Exhibit at St. Louis Exposition," pass at \$60,000. Seconded by Senator Dickey.

Senator Kalauokalani moved that the item pass at \$50,000. Seconded by Senator Dickey and carried.

Senator Dickey moved to insert item "Purchase of Fifty Thousand Copies of Hand Book of Hawaii for distribution at St. Louis Fair, \$6,000." Seconded by Senator Crabbe.

Senator McCandless moved to insert item "For Advertising the Resources of the Territory, \$20,000."

Senator Dickey moved as an amendment that the item pass at \$15,000. Senator McCandless accepted the amendment.

Senator Crabbe moved to add the words "Under the Commissioners appointed to the World's Fair." Seconded by Senator Woods and carried.

Senator C. Brown moved that the item "Repairs, Furniture and Additions to Public Buildings" pass at \$30,000. Seconded by Senator Dickey and carried.

Senator McCandless moved to reconsider item of "Expenses Department Stables, \$1,800." Seconded by Senator Achi and carried.

Senator McCandless moved that the item pass as in the bill. Seconded by Senator Paris and carried.

Senator C. Brown moved to insert item "Repairs and Alterations to Judiciary Building, \$45,000." Seconded by Senator Dickey and carried.

The item "Landings and Buoys, Molokai, \$375," was amended to read "Landings and Buoys, Molokai, including Kalau-papa, \$3,000."

Senator Crabbe moved that the item "Lighthouse Expenses" pass at \$3,600. Seconded by Senator Dickey and carried.

Senator J. T. Brown moved that the item "Expenses Pilot Boats" be amended to read "Expenses Pilot Boats, including Boat for Hilo" and pass at \$2,200.00. Seconded by Senator Kalauokalani and carried.

Senator Dickey moved that the item "Expenses numbering Houses, \$1,200," be amended to read "Numbering Houses for Six Months, \$1,200." Seconded by Senator C. Brown and carried.

At 3:40 o'clock Senator C. Brown moved to take a recess until 7 o'clock this evening. Seconded by Senator Dickey and lost.

Senator Crabbe moved to take a recess until 8 o'clock this evening. Seconded by Senator Dickey and lost.

Senator Crabbe moved to take a recess until 7:25 o'clock this evening. Seconded by Senator McCandless and lost.

Senator C. Brown moved to adjourn until the 25th day of April. Seconded by Senator Kalauokalani and lost.

Senator Crabbe moved to take a recess until 7:15 o'clock this evening. Seconded by Senator McCandless and lost.

Senator Crabbe moved to take a recess until 7:20 o'clock this evening. Seconded by Senator McCandless and lost.

Senator Achi moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Kalauokalani and lost on a vote of six to six, the Chair voting against the motion.

Senator Kaiue moved to insert new item "Equipment and Maintenance of Combination Chemical and Hose Wagon, Wailuku, Maui, \$7,120." Seconded by Senator Crabbe and carried.

Senator Achi moved to insert new item "Improving Aala Park, \$2,500." Seconded by Senator C. Brown and carried.

Senator Achi moved to insert item of "Breakwater, Waiahole, \$1,200." Seconded by Senator McCandless and carried.

Senator C. Brown moved that the item "Puuloa Road, \$2,500," be stricken out. Seconded by Senator Dickey and carried.

At 4:50 o'clock Senator Achi moved to take a recess until 7:30 o'clock this evening. Seconded by Senator McCandless and carried by a vote of six to six, the Chair voting in favor of the motion.

### EVENING SESSION.

The Senate re-convened at 7:30 o'clock.

Second Reading of Senate Bill No. 107.

The President called Senator Isenberg to the Chair.

Senator Kalauokalani moved to insert new item of "Stone Bridge, Moanalua, \$3,000." Seconded by Senator McCandless and carried.

Senator Wilcox moved to insert new item of "Regrading old road from Kalihiwai to Kikiula, including bridges, \$7,000." Seconded by Senator Kalauokalani and carried.

Senator McCandless moved to reconsider item "Puuloa Road \$2,500." Seconded by Senator Kalauokalani and carried.

Senator McCandless moved that the item pass at \$5,000. Seconded by Senator Kalauokalani and carried.

Senator Wilcox moved that the item under the head of Department of Public Instruction of "Furniture and Fixtures" pass at \$8,000. Seconded by Senator McCandless and carried.

Senator Crabbe moved to insert new item of "Equipment and rent of room for lace making in town, \$1,000." Seconded by Senator Dickey and carried.

Senator Wilcox moved to insert item of "Kindergarten Instruction, \$3,300." Seconded by Senator Woods and carried.

Senator Crabbe moved that the item "Segregation, Support and Treatment of Lepers" pass at \$230,000. Seconded by Senator McCandless and carried.

Senator McCandless moved to insert item "Hospital at Kalaupapa, \$10,000." Seconded by Senator J. T. Brown and carried.

Senator Kalaauokalani moved to strike out item under the head of Band "Trips to other Islands, \$2,000." Seconded by Senator Dickey and carried.

Senator Achi moved to reconsider item of "Expenses of Election." Seconded by Senator Kalaauokalani and carried.

Senator Achi moved that the item be amended to read "Expenses of Election, including County and Municipal Elections, \$35,000." Seconded by Senator Kalaauokalani and carried.

Senator Dickey moved to insert new item "To reimburse Registration Board, Maui, \$62.50." Seconded by Senator Woods and carried.

Senator Dickey moved to insert new item "Band Instruments for Leper Settlement, to be under the care of Superintendent, \$600." Seconded by Senator Kalaauokalani and carried.

Senator Crabbe moved to insert item "Amusements for Leper Settlement, to be expended by Superintendent, \$200." Seconded by Senator McCandless and carried.

Senator Paris moved to insert item of "Hospital and Buildings and Maintenance in North Kona, Hawaii, to be located by the Superintendent of Public Works, \$15,000." Seconded by Senator Woods and carried.

Senator C. Brown moved to amend Section 3 by striking out the words "Thirty-first day of December, 1903" and inserting the words "Thirtieth day of June, 1905." Seconded by Senator Dickey and carried.

Senator C. Brown moved to amend Section 3 by adding at the end of the Section the words "Provided, however, that all money appropriated and set apart under the provisions of this Act for salaries, where such salary is paid to a person whose occupation or office ceases by reason of the coming into operation of that certain Act entitled 'An Act concerning Counties and the Organization and Government thereof, and the management and control of public works and institutions,' or where such repairs or improvements are to be made to or upon property

within the several Counties organized by said Act, and by virtue of a County. The further payment of any sums of money so appropriated shall cease and determine upon the 31st day of December, 1903. And it shall not be lawful for the Territorial Auditor to issue, nor the Territorial Treasurer to pay, any warrants for such services rendered, nor such repairs or improvements made after the 31st day of December, 1903." Seconded by Senator Woods and carried.

Senator C. Brown moved to insert a new Section as follows:

"Section 4. From and after the passage of this Act, and until the 31st day of December, 1903, all appropriations for whatever purpose made or authorized by this Act shall be only expended pro rata as to time and amount bearing or set apart for such salary, repairs or improvements." Seconded by Senator Woods and lost.

Senator McCandless moved to insert a new Section as follows:

"Section 5. Any public officer who shall falsely certify or approve for payment any bill or voucher against any item of this Act shall be deemed guilty of a misdemeanor, for which the offender shall, on conviction thereof, be fined not less than Fifty Dollars nor more than Five Hundred Dollars." Seconded by Senator Dickey and carried.

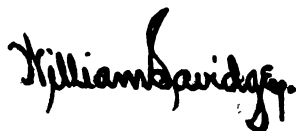
Senator C. Brown moved to reconsider Section 3. Seconded by Senator Kalauokalani and carried.

Senator C. Brown moved to strike out the amendment added at the end of the Section. Seconded by Senator Achi and lost.

Senator Dickey moved that the bill pass second reading as amended. Seconded by Senator Kalauokalani and carried.

Senator J. T. Brown moved that the bill be read third time on Saturday, the 18th. Seconded by Senator Kalauokalani and carried.

At 9 o'clock Senator J. T. Brown moved to adjourn. Seconded by Senator Kalauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

## FIFTY-FIRST DAY.

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Friday, April 17th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senator Kaohi absent.

The Journal of the Fiftieth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Nakapaahu, approved as read.

A communication from the House of Representatives returning Senate Bill No. 4, as amended, was read by the Clerk, as follows:

Honolulu, H. T., April 15th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bill No. 4, "An Act Granting a Franchise to Construct, Maintain and Operate an Electric Railway in the District of Hilo, Island of Hawaii, Territory of Hawaii", which this day passed third reading in the House of Representatives, with the following amendments:

In Section 2 in last line of Page 2 of Senate amended bill, strike out the word "Waiakea" and insert the words "Hilo Harbor."

In Section 2 in the first line of Page 3 of said bill, before the word "Congress" insert the words "this Act by."

After Section 20, insert two new Sections to be numbered "Section 21" and "Section 22", as follows:

"Section 21. The said Company shall not operate on any road of less than thirty feet in width."

"Section 22. The said Company shall furnish and keep in repair 'Arc Lights' at a distance of not less than 600 feet along the route of said railway."

Change Section 21 in the Bill to read "Section 23."

Very respectfully.

S. MEHEULA,  
Clerk, House of Representatives.

Senator Achi moved that the Senate concur with the amendments. Seconded by Senator C. Brown and carried.



A communication from the House of Representatives returning Senate Bill No. 39 which passed third reading in the House on the 16th day of April, 1903, was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 17th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bill No. 39, entitled "An Act to amend Section 2 of Chapter 1 of the Penal Code (Penal Laws, Section 3) defining Felonies and Misdemeanors", which has passed its Third Reading in the House of Representatives on the 16th day of April, A. D. 1903.

Yours respectfully,

SOLOMON MEHEULA,  
Clerk.

A communication from the House of Representatives notifying the Senate that the House of Representatives had concurred in the amendments to House Bill No. 157, was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 17th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to inform your Honorable Body that the House of Representatives concurred in the amendments made by you to House Bill No. 157, relating to Pauoa Springs.

Yours respectfully,

SOLOMON MEHEULA,  
Clerk.

A communication from the House of Representatives transmitting House Joint Resolution No. 1 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 16, 1903.

To the Honorable President  
and Members of the Senate.

I have the honor to transmit to you herewith House Joint Resolution No. 1, relating to the appointment of a Commission of three members to represent Hawaii at the St. Louis Exposition, adopted March 25, 1903.

Respectfully,

SOLOMON MEHEULA,  
Clerk, House of Representatives.

#### JOINT RESOLUTION NO. 1.

Be it Resolved by the Senate and House of Representatives of the Legislature of the Territory of Hawaii, That a Commission of three members to represent Hawaii at the St. Louis Exposition be appointed as follows, to-wit:

1. One Commissioner to be appointed by the Governor of the Territory of Hawaii;

2. One Commissioner to be appointed by the President of the Senate and the other to be appointed by the Speaker of the House of Representatives of the Territory of Hawaii; and

Provided Further, That a quintette club of eight Hawaiian singers and musicians to entertain the visitors to Hawaii's Exhibits at the Exposition be selected by the Delegate to Congress, Prince Cupid Kalaniana'ole, and they are to accompany the Commission to the said Exposition, their salaries for services during the Exhibition, and passage money, to be fixed by the Governor.

Senator Achi moved that the Joint Resolution be referred to the Committee on Miscellaneous Petitions. Seconded by Senator McCandless.

Senator Dickey moved as an amendment to refer to the Committee on Ways and Means. Seconded by Senator Wilcox.

The motion to refer to the Committee on Miscellaneous Petitions was then put and lost.

The motion to refer to the Committee on Ways and Means was then put and carried.

Senator C. Brown for the Printing Committee reported Senate Bills Nos. 173, 174, 175 and 176 printed and ready for distribution.

Senator Achi for the Judiciary Committee presented a majority report on House Bill No. 64.

Senator C. Brown moved that the report of the committee be laid on the table to be taken up with the minority report and the bill. Seconded by Senator Baldwin.

Senator Achi moved that the minority of the committee be given until Monday to report on the Bill. Seconded by Senator McCandless and carried.

Senator C. Brown here tendered his resignation as Chairman of the Judiciary Committee.

Senator Crabbe moved to reconsider the action taken on the report of the majority of the committee. Seconded by Senator Dickey and carried.

Senator Baldwin moved that the majority report of the committee be laid on the table to be considered with the minority report and the bill. Seconded by Senator Crabbe and carried.

Senator Achi moved that the majority report of the committee be withdrawn. Seconded by Senator Crabbe and carried.

Senator McCandless introduced a concurrent resolution relating to reserving certain lots at Olaa for reservoir purposes, as follows:

#### CONCURRENT RESOLUTION.

Whereas, lots numbered 56, 57, 58, 59, 144 and 145, both inclusive of the new Olaa tract altogether containing 239.31 acres of land of poor quality unfit for settlement are occupied by an extinct crater of such proportions and age that it is holding considerable amount of water;

Whereas, with a small amount of work in the way of a dam at the outlet still larger quantity of water may be stored for domestic purposes, irrigation, fluming, etc.;

Whereas, a large number of settlers have located upon and are now residing in said new Olaa tract below the lots above enumerated, which settlers in water supply depend upon the reservoir above mentioned and would be greatly harmed should the reservoir become an object of a private monopoly;

Resolved by the Senate, the House of Representatives concurring, That the above enumerated lots be recommended to be forever withdrawn from entry and alienation, and the Governor and the Commissioner of Public Lands of the Territory of Hawaii be requested to take such steps within their respective powers to reserve same for public purposes.

I. L. McCANDLESS,  
Senator 3rd District.

Senator Baldwin moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator McCandless and carried.

A communication from the House of Representatives returning Senate Bill No. 79, as amended by the House of Representatives, was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 17th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bill No. 79, entitled "An Act to amend Section 1280 of the Civil Code amended by Chapter 24 of the Session Laws of 1882," which has passed its Third Reading in the House of Representatives, Territory of Hawaii, on the 16th day of April, A. D. 1903, with the following amendment:

Section 1, line 5, amend the word "Two" by inserting the word "Three" in lieu thereof, so that the said line 5 be read as follows: "Three Dollars for each day's attendance in court, etc."

Very respectfully yours,

SOLOMON MEHEULA,  
Clerk.

Senator Dickey moved that the Senate do not concur with the amendments of the House. Seconded by Senator Baldwin and carried.

Under suspension of the rules Senator Kalaauokalani presented a petition from various Chinese and Japanese Merchants praying that moneys paid for licenses be refunded.

Senator Dickey moved that the petition be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Crabbe and carried.

Second Reading of Senate Bill No. 185, entitled "An Act to authorize and provide for the construction, maintenance and operation of a Telephone System in the Territory of Hawaii by the Standard Telephone Company, Limited." Referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Second Reading of Senate Bill No. 186, entitled "An Act to amend Act — of the Session Laws of 1903, entitled 'An Act to license the retail sale of Malt Liquors.'"

Senator C. Brown moved to insert a new Section as follows: "Section 4a. No license under this Act shall be issued within a radius of half a mile of the Head Quarters of the

Commanding Officer of any Military Post established in the Territory of Hawaii by the United States Military authorities." Seconded by Senator Dickey.

Senator Dickey moved that the bill be referred to the Committee on Miscellaneous Petitions. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 187, entitled "An Act to amend Section 11a Act 64 of the Session Laws of 1898."

Senator Dickey moved that the bill pass second reading. Seconded by Senator Paris and carried.

Senator Paris moved that the bill be read third time tomorrow. Seconded by Senator Wilcox and carried.

Second Reading of Senate Bill No. 177, entitled "An Act relating to Offences against the Election laws, amending certain provisions on that subject." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 178, entitled "An Act to repeal Act 14 of the Special Session of 1895, relating to the Labor Commission." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 179, entitled "An Act relating to the Treasury Department, amending and repealing certain laws on that subject." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 180, entitled "An Act relating to the Auditor and Deputy Auditor, amending and repealing certain provisions relating thereto." Referred to the Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 181, entitled "An Act relating to Taxes, amending certain laws on that subject." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 182, entitled "An Act relating to Stamp Duties, amending and repealing certain provisions on that subject." Referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 183, entitled "An Act relating to Currency, amending and repealing certain laws on that subject." Referred to Committee on Miscellaneous Petitions.

Second Reading of Senate Bill No. 188, entitled "An Act for the incorporation of societies for the prevention of cruelty to children."

Senator Paris moved that the bill pass second reading. Seconded by Senator Dickey and carried.

Senator Paris moved that the bill be read third time tomorrow. Seconded by Senator Dickey and carried.

Second Reading of Senate Bill No. 173, entitled "An Act relating to Agriculture and Forestry, amending and repealing certain laws on that subject." Referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Second Reading of Senate Bill No. 174, entitled "An Act relating to Coroners' Inquests, repealing certain laws on that subject." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 175, entitled "An Act relating to the High Sheriff, Deputy Sheriffs and Police, amending and repealing certain provisions relating thereto." Referred to the Judiciary Committee.

Second Reading of Senate Bill No. 176, entitled "An Act relating to Taxation, Educational and Judicial Districts, amending and consolidating certain laws upon that subject." Referred to the Judiciary Committee.

Second Reading of House Bill No. 16, entitled "An Act to provide for and to regulate the sending of Youths to the Mainland or abroad to be educated." Referred to the Committee on Miscellaneous Petitions.

Second Reading of House Bill No. 71, entitled "An Act to amend Section 434 of the Penal Laws, relating to the illegal manufacture for sale of Spirituous Liquors and substances." Referred to the Committee on Miscellaneous Petitions.

Second Reading of House Bill No. 72, entitled "An Act to prohibit the employment of any person not a citizen of the Territory of Hawaii as a Laborer upon any Public Work of any kind, manner or description in the Territory of Hawaii, by a public officer, servant or agent of the Territory of Hawaii, or by any contractor under and with the Territory of Hawaii and to provide a penalty for the violation of said Act." Referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Second Reading of House Bill No. 85, entitled "An Act defining penalties of procurers, pimps and owners, agents or lessees of houses or places used or resorted to for the purpose of prostitution or lewdness." Referred to the Committee on Miscellaneous Petitions.

Second Reading of House Bill No. 134, entitled "An Act to amend Sections 1 and 2 of Act 29 of the Session Laws of 1898, entitled 'An Act to convert Land at Kaliu, Makiki, Honolulu, etc.'" Referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc.

Second Reading of House Bill No. 141, entitled "An Act to amend Section 1 of Chapter 37 of the Penal Code as amended

by Act 36 of the Session Laws of 1896." Referred to the Judiciary Committee.

Second Reading of House Bill No. 142, entitled "An Act to amend Sections 3 and 10 of Act 21 of the Session Laws of 1898, relating to 'An Act to prohibit Gambling and Gaming.'" Referred to the Committee on Ways and Means.

Second Reading of House Bill No. 145, entitled "An Act to authorize District Magistrates to issue Commissions to take Depositions of witnesses in certain cases." Referred to the Judiciary Committee.

Second Reading of House Bill No. 185, entitled "An Act to appropriate money for the Breakwater and wharf at Kalaupapa, Molokai."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalauokalani and carried.

Senator Kalauokalani moved that the bill be read third time tomorrow. Seconded by Senator Woods and carried.

At 12 o'clock Senator Achi moved to take a recess until 2 o'clock. Seconded by Senator Woods and carried.

### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

At 2:02 o'clock the following message from the Governor was read by the Clerk:

#### A MESSAGE

to the

#### SENATE OF THE TERRITORY OF HAWAII.

I herewith submit for your action the following nomination:

#### BOARD OF REGISTRATION

Island of Oahu.

Alexander Lindsay, Jr., Chairman.

SANFORD B. DOLE,  
Governor.

Executive Chamber,  
Territory of Hawaii,  
April 17th, 1903.

Senator Achi moved that the nomination of the Governor be confirmed. Seconded by Senator Dickey and carried.

Second Reading of Senate Bill No. 155, entitled "An Act relating to the Construction and Operation of Railways, and amending an Act entitled 'An Act to promote the construction of Railways,' being Chapter 29 of the Laws of 1878."

Senator Dickey moved that the bill be read Section by Section. Seconded by Senator McCandless and carried.

Section 1. Senator Dickey moved that the recommendation of the committee be adopted. Seconded by Senator Woods and carried.

Section 2. Senator Dickey moved that the recommendation of the committee be adopted. Seconded by Senator Achi and carried.

Section 3. Senator Baldwin moved that the recommendation of the committee be adopted. Seconded by Senator Dickey and carried.

Section 4. Passed as in the bill.

Section 5. Senator Dickey moved that the recommendation of the committee be adopted. Seconded by Senator Baldwin and carried.

Senator Dickey moved that the bill pass second reading as amended. Seconded by Senator Isenberg and carried.

Senator Dickey moved that the bill be read third time on Monday, the 20th. Seconded by Senator Isenberg and carried.

Second Reading of House Bill No. 83, entitled "An Act to provide for a right of action for damages for death caused by wrongful act, neglect or default."

Senator C. Brown moved to strike out the words "and the amount so recovered shall not be subject to any debts or liabilities of the deceased" in lines 7, 8 and 9 of Section 2. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Dickey and carried.

Senator Dickey moved that the bill be read third time on Monday, the 20th. Seconded by Senator Kalauokalani and carried.

Third Reading of Senate Bill No. 138, entitled "An Act amending and repealing certain laws relative to Liquid Explosives."

Senator Dickey moved that the recommendation of the committee as to Section 1 be adopted. Seconded by Senator Woods and carried.

Senator Dickey moved that Section 2 be stricken out. Seconded by Senator Isenberg and carried.

The bill passed third reading as amended on the following showing of ayes and noes:



Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Kaohi—1.

Third Reading of Senate Bill No. 168, entitled "An Act to amend Section 474 of the Civil Code of 1859 relating to the appointment of a Registrar of Public Accounts and to provide for the appointment of a Deputy Registrar of Public Accounts."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Kaohi—1.

Third Reading of House Bill No. 5, entitled "An Act providing for the drawing, summoning and empaneling of grand and trial jurors."

Senator Dickey moved to strike out the word "five" in line 3 of Section 22 and insert the word "ten." Seconded by Senator McCandless and carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators C. Brown and Kaohi—2.

Third Reading of House Bill No. 28, entitled "An Act relating to Passenger Vehicles and Drivers, and to regulate and license the same."

Senator Dickey moved to amend line 11 of Section 2 by inserting the words "shall not apply to any person now holding a license who has had such license for two or more years." Seconded by Senator Isenberg and lost.

Senator Kalaauokalani moved to strike out the recommendation adopted by the committee. Seconded by Senator Woods and carried.

Senator Paris moved to amend by striking out in Section 2 from the beginning of the Section to and including the word "business" in line 6 and to insert the words "There shall be appointed by the Treasurer or County Supervisors three Passenger Vehicle Inspectors serving without pay for each Dis-

trict, composed of the Sheriff or his deputy, and two licensed passenger vehicle drivers." Seconded by Senator Isenberg and carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Isenberg, Kaiue, Kalauokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: Senator Dickey—1.

Not Present: Senators C. Brown and Kaohi—2.

Third Reading of House Bill No. 94, entitled "An Act to Encourage Diversified Industries."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators C. Brown, J. T. Brown and Kaohi—3.

Second Reading of Senate Bill No. 83, entitled "An Act making appropriations for salaries and pay rolls for Six Months from July 1st, 1903, which will end the Thirty-first day of December, 1903."

Senator Dickey moved that the bill be referred to a Special Committee. Seconded by Senator Isenberg and carried.

The Chair appointed the following committee: Senators Dickey, Achi, J. T. Brown, Wilcox and Paris.

Third Reading of Senate Bill No. 132, entitled "An Act authorizing the issue of Two Million, Six Hundred and Fifteen Thousand, Five Hundred and Seventy Dollars (\$2,615,570.00) of Bonds of the Territory of Hawaii, with Interest Coupons attached, within the biennial period that will end on the Thirtieth day of June, 1905, and to define the purposes for which the money obtained therefrom shall be expended."

Senator Achi moved to defer until tomorrow. Seconded by Senator McCandless and carried.

Third Reading of Senate Bill No. 167, entitled "An Act to amend Act 45 of the Session Laws of 1898, entitled 'An Act relating to corporations and incorporated companies organized under the laws of foreign countries and carrying on business in this Territory'; repealing Chapter XXXVI. of the Session Laws of 1880, and Chapter XXXVII. of the Session Laws of 1882, relating thereto and Chapter XI. of the Session Laws of 1878, entitled 'An Act providing for service of process on for-

eign corporations,' and to add thereto new Sections 2a and 2b, providing for a license on certain foreign corporations."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless, Nakapaahu, Paris and Woods—12.

Noes: None.

Not Present: Senators C. Brown, Kaohi and Wilcox—3.

Third Reading of Senate Bill No. 171, entitled "An Act to prevent certain public officers from approving vouchers and pay rolls for services, materials or supplies for the purpose of authorizing, assisting or allowing persons to obtain warrants thereon, drawn upon certain appropriations or deposits when such officers know that such services, materials or supplies are rendered or furnished for objects other than those to which appropriations, funds or deposits appertain."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators C. Brown and Kaohi—2.

Third Reading of Senate Bill No. 154, entitled "An Act to provide for the purchase and acquisition by the Territory of Hawaii for the Pahoa Water Works Plant situated at Pahoa and Kaimuki, Island of Oahu, Territory of Hawaii, and making an appropriation therefor."

Senator Dickey moved to amend by striking out the words "in bonds of the Territory of Hawaii" in Sections 1 and 2. Seconded by Senator Paris and carried.

Senator McCandless moved to insert "Oahu College, \$25,000." Seconded by Senator Achi.

The Chair ruled the amendment out of order.

Senator McCandless appealed against the ruling of the Chair which ruling was sustained by a vote of 10 to 2.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Nakapaahu, Paris, Wilcox and Woods—11.

Noes: Senators Achi and McCandless—2.

Not Present: Senators C. Brown and Kaohi—2.

At 4:10 o'clock Senator J. T. Brown moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Nakapahu and carried.

*William Spidgley*

Clerk of the Senate.

Approved by the Senate:

*Charles L. Crabbe*

President of the Senate.

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FIFTY-SECOND DAY.

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Saturday, April 18th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators C. Brown (excused) and Kaohi (reported sick) absent.

The Journal of the Fifty-first Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Nakapahu, approved as read.

A communication from the House of Representatives notifying the Senate of the passage of Senate Bill No. 115, as amended, was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 18th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bill No. 115, entitled "An Act to Provide for Registering and Confirming Titles to Land", which has passed its Third Reading in the House of Representatives on the 16th day of April, A. D. 1903, with the following amendments:

Amend Section 3 by adding at the end of said Section the following: "Said Judge at the time of his appointment shall have been a resident of the Territory of Hawaii or its predecessor for at least five years next preceding such appointment."

Amend Section 13 by striking out the words "four thousand" in line 2 and inserting in lieu thereof the words "three thousand", and strike out the words "three thousand" in line 4 and insert in lieu thereof the words "eighteen hundred." And at the end of said Section 13 add the following:

"The Registrar, Assistant Registrar, Examiner of Titles, and their assistants shall have been, at the time of their respective appointments, residents of the Territory of Hawaii or its predecessor for at least five years next preceding their several appointments."

Very respectfully,

Clerk.

Senator Dickey moved that the Senate concur in the amendments of the House. Seconded by Senator Kalauokalani and carried.

A communication from the House of Representatives announcing the appointment of a Conference Committee on Senate Bill No. 79, was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 18th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to inform your Honorable Body that the House of Representatives has carried a motion requesting for a Conference Committee on Senate Bill No. 79 relating to Jurors, and the following named Representatives have been appointed by the Presiding Officer of this House to represent this House on that Committee:

Hon. S. Keliʻinoi,  
Hon. Frank Andrade, and  
Hon. D. Damien.

Respectfully yours,

SOLOMON MEHEULA,

Clerk.

Approved:

ERIC A. KNUDSEN,  
Vice-Speaker.

Senator Baldwin moved that the Judiciary Committee be appointed as a Conference Committee on Senate Bill No. 79. Seconded by Senator Kalauokalani and carried.

Senator Baldwin for the Ways and Means Committee reported on House Bill No. 142, as follows:

Honolulu, T. H., April 18, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred House Bill No. 142, entitled "An Act to amend Sections 3 and 10 of Act 21 of the Session Laws of 1893 relating to an Act to prohibit Gambling and Gaming", have had the same under careful consideration.

Section 3 of Act 2 is amended by leaving out the words "or understood to be" and also the words "any ticket, chance share or interest in or dependent upon the event of."

Your Committee considers that the Section is improved by the proposed amendments.

Section 10 of the same Act is amended by adding the words "or both in the discretion of the Court." Section 10 now on the Statutes reads: "Every person guilty of a misdemeanor provided in this Act shall be punishable by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment at hard labor not exceeding one year."

The amended Section would leave it optional with the Judge to impose both fine and imprisonment.

We recommend the passage of the Bill.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Baldwin moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator McCandless and carried.

Senator Baldwin for the same committee reported on Senate Bill No. 182, as follows:

Honolulu, T. H., April 18, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred Senate Bill No. 182, entitled "An Act relating to Stamp Duties, amending and repealing certain provisions on that subject", begs leave to report.

This Bill repeals certain Sections in the Civil Laws relating to Stamp Duties that are obsolete, and amends other Sections. in order to conform to the conditions under Annexation.

This Bill is recommended by the Chief Justice and the Bar Association.

We recommend its passage.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Wilcox moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 186, as follows:

Honolulu, T. H., April 17, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred Senate Bill 186, relating to License to sell Malt Liquor, has had the same under consideration.

The Bill covers the Governor's objections to the Act to license the retail sale of Malt Liquors, and which was passed over his veto, except the following:

The Governor in his veto message stated that the police should have the right to enter the licensed premises at any time without warrant. The Bill in Section 3 provides that they may enter "upon search warrant issued therefor." To meet the Governor's objection these last words should be stricken out and the words "without search warrant" be inserted in line 5, after the word "liquors."

Your committee recommends this amendment.

The Governor states that a provision should have been inserted protecting residence districts, and intimates that 150 feet is too small a distance from schools and churches.

The amendment requested by the Commandant of the Federal forces in the Territory is also on this line.

Your committee offers the following amendment covering these points:

Insert a Section after Section 4, as follows:

"Section 5. No license under this Act shall be issued for a place within a radius of half a mile from the Headquarters of the Commanding Officer of any Military Post established in this Territory by the United States Military authorities, nor

shall any license be issued for a place within 300 feet of the premises of a church or school actually used as such, nor in residence or country districts at any place without the consent of the owners of half of the real estate within 500 feet.

With these amendments your committee recommends the passage of the bill.

C. H. DICKEY, Chairman,  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Paris moved that the report of the committee be adopted. Seconded by Senator Isenberg.

Senator Achi moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator J. T. Brown.

The motion to adopt the report of the committee was then put and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on Senate Bill No. 160, as follows:

HON. C. L. CRABBE,  
Chairman.

Sir:—Your Committee on Public Lands, Internal Improvements, Agriculture, etc., recommends that Senate Bill No. 160 pass, with the following amendments:

Section 1, Line 2. After "practical" insert "experienced."  
Line 3. After "also" insert "an experienced, practical, competent electrical engineer as."

Line 4. After "time" insert the sentence "all such employees so appointed shall have had a previous practical and competent experience in the several duties required of them."

Line 4. After "Inspector" insert "an assistant electrical inspector."

Line 7. After "officers" strike out "an" and insert "a competent."

Line 9. After "controversy" insert "provided, however, that nothing in this Act contained shall prevent any interested person, firm or corporation from having an appeal to the Courts."

Section 2, Line 2. After "provided" strike out balance of Section.

Section 3, Line 4. After "whatever" strike out balance of line; also line 5 to the word "file" and insert "other than such work as is herein excepted."

Line 9. After "shall" strike out balance of Section and insert "forthwith be issued within 48 hours."

Section 4, Line 3. After "completion" strike out balance of line; also lines 4 and 5.



Line 7. After "regulations" strike out "made" and insert "adopted." After "Public Works" strike out "controlling the use of electric current" and insert "governing the insulation of electric wiring."

Section 4, after Line 12. Insert lines 10, 11 and 12 of Section 5. Strike out Section 5.

Section 7. After line 4 insert "provided, however, such fees shall not exceed one dollar."

Strike out Section 8 to be inserted elsewhere in the Bill.

Section 9, Line 4. After "Inspector" strike out "his assistants" and insert "assistant electrical inspector."

Strike out lines 4, 5 and 6 and insert lines 4, 5 and 6 as amended after Section 1.

Section 10, Line 9. After "one" strike out "fiscal," and after "year" strike out balance of sentence.

Line 15. After "fee as" strike out "not."

Section 11, Line 5. After "Inspector" strike out balance of Section and insert "as provided under Section 10 of this Act."

Strike out Section 12.

Section 13, Lines 4 and 7. Strike out "Superintendent of Public Works" and insert "Treasurer of the Territory of Hawaii." After line 8 insert "said officer shall be responsible for the return of said bond or cash deposit, and shall, upon an application from the person, association of persons, firm or corporation depositing such bond or cash, return the same within ten days from the date of the application for the withdrawal of same."

Section 14, Line 5. After "for the" strike out "Electrical Inspector" and insert "Superintendent of Public Works."

Strike out the title of Section 15 and insert before Section 16.

After Section 15 insert "a copy of such rules and requirements and amendments shall be supplied to each holder of a certificate upon the issuing of said certificate as required under Section 10."

Section 16, Line 12. After "condition" strike out balance of line; also lines 13, 14, 15, 16 and 17, and insert after "condition." "as provided by this Act."

Section 16. Strike out lines 26, 27 and 28 and insert Section 8.

Section 18, Line 3. After "Act" strike out "or the rules made thereunder."

Section 19. After "Inspector" strike out "and his" and insert "the." After "Assistant" insert "Electrical Inspector and all other employees who may be appointed under this Act."

Respectfully submitted,

L. L. McCANDLESS,

J. D. PARIS,

Committee.

Senator J. T. Brown moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Isenberg and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 180 as follows:

Honolulu, T. H., April 17, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which Senate Bill 180 was referred, has had the same under consideration.

The Bill is for the purpose of making the law agree with the Organic Act.

The committee recommends that the Bill pass.

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Achi moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator McCandless and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on House Bill No. 134 as follows:

Senate Chamber,  
Honolulu, T. H., April 18, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Public Lands, Internal Improvements, Agriculture, etc., begs leave to report upon House Bill No. 134, and to earnestly recommend that the same be laid on the table.

This is a measure that under the appearance of amending the law relating to Makiki Recreation Ground, withdraws as a recreation ground the River Park, formerly reserved by the Legislature, and soon to be improved in the interest of several thousands of citizens to whom a park will be a great benefit.

Respectfully submitted,

L. L. McCANDLESS,  
J. D. PARIS.

Committee.

Senator J. T. Brown moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Nakapaahu and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 183, as follows:

Honolulu, T. H., April 17, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred Senate Bill 183, beg leave to report:

This bill is offered in order that the law may be harmonized with changed conditions under annexation, and to conform with the Constitution and Laws of the United States in regard to the mutilation of coin.

We recommend the passage of the bill.

C. H. DICKEY, Chairman.  
H. P. BALDWIN.  
D. P. R. ISENBERG.  
S. E. KAIUE.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Isenberg and carried.

Senator J. T. Brown moved that the bill be read third time on Monday. Seconded by Senator Isenberg and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on Senate Bill No. 173, as follows:

Senate Chamber,  
Honolulu, T. H., April 18, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Public Lands, Internal Improvements, Agriculture, etc., begs leave to report upon Senate Bill No. 173, and to recommend that the same do pass. This bill makes a number of well considered and necessary amendments to the law relating to Agriculture and Forestry, a summary of the same being attached to the Act.

Respectfully submitted.

L. L. McCANDLESS,  
J. D. PARIS,

.....  
Committee.

Senator J. T. Brown moved that the report of the committee be adopted. Seconded by Senator Isenberg and carried.

Senator Isenberg moved that the bill be read third time on Monday. Seconded by Senator Dickey and carried.

Senator Isenberg for the Special Committee on Pahoia Water Works reported on items in the Loan Bill as follows:

Honolulu, H. T., April 18th, 1903.

HONORABLE CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Special Committee, to whom was referred items in the Loan Act in regard to building for High Lift Pump, Beretania Street, \$28,000, High Lift Pump, Contract June 15, 1900, \$17,000, High Lift Reservoir and Pipe, \$25,000, purchase of 100,000 feet of cast iron pipe, \$175,000, beg leave to report as follows:

That your Committee recommends that the item High Lift Pump, Honolulu Iron Works Contract, June 5th, 1900, \$17,000, be paid. This is one of the contracts that were made by the then Superintendent of Public Works, the idea being that this pump should be put in alongside the Beretania Street Pump.

Your Committee finds that it is unnecessary to put up this pump now as the Government is willing to go ahead with the building of the reservoir at Nuuanu.

Your Committee has recommended that the Government sell this pump as soon as possible, and recommend that the two other items of building for High Lift Pump and High Lift pipe be stricken out.

The purchase of 100,000 feet of cast iron pipe to remain as it is in the Bill, as a great many streets have no pipe connection now, and it is the intention of the Government to connect all these different streets with pipe.

Yours respectfully,

D. PAUL R. ISENBERG,  
S. E. KAUE,  
JOHN T. BROWN,  
C. H. DICKEY.

Senator Isenberg moved that the report of the committee be taken up with the order of the day. Seconded by Senator Kalaauokalani and carried.

Senator Isenberg offered a resolution that the President of the Senate appoint a committee to look into the condition of the Band, as follows:

Honolulu, April 18th, 1903.

RESOLUTION.

Be It Resolved, that the President of the Senate appoint a committee of three to look into the condition of the Band of the Territory of Hawaii.

Respectfully submitted,

D. PAUL R. ISENBERG,  
Senator 3rd District.

Senator Isenberg moved that the resolution be adopted. Seconded by Senator Achi and carried.

Senator Isenberg offered a resolution relating to clerk hire of committees, as follows:

Honolulu, T. H., April 18, 1903.

RESOLUTION.

Be It Resolved, that none of the committees be allowed any more clerk hire after the 18th day of April, 1903.

D. PAUL R. ISENBERG,  
Senator 3rd District.

Senator Isenberg moved that the resolution be adopted. Seconded by Senator Paris and carried.

Senator Achi moved that Senate Bill No. 132 be now taken up. Seconded by Senator Dickey and carried.

Third Reading of Senate Bill No. 132, entitled "An Act authorizing the issue of Two Million, Six Hundred and Fifteen Thousand, Five Hundred and Seventy Dollars (\$2,615,570.00), of Bonds of the Territory of Hawaii, with coupons attached, within the biennial period that will end on the Thirtieth day of June, 1905, and to define the purposes for which the money obtained therefrom shall be expended."

Senator Kalauokalani moved that the item "Reorganization of wharf system, Honolulu" be increased to \$400,000. Seconded by Senator Isenberg and carried.

The President here called Senator Isenberg to the Chair.

Senator Crabbe moved that the item "New Penitentiary, Oahu, (partial completion; completion of plans to cost \$150,000 more)," be reduced to \$10,000. Seconded by Senator Baldwin.

Senator Achi moved that the item pass at \$50,000.00. Seconded by Senator McCandless.

The motion to pass at \$50,000 was then put and lost.

The motion to reduce to \$10,000 then carried.

Senator Achi moved to insert new item of "New Building, Fire Station, Wailuku, \$3,000." Seconded by Senator Dickey and carried.

Senator Achi moved that the item of "Nuanu Reservoir, No. 4, \$75,000," be increased to \$150,000. Seconded by Senator McCandless and lost on a vote of 6 to 6, the Chair voting against the increase.

Senator Crabbe moved that the item "Building for High Lift Pump, Beretania Street, \$28,000.00" be stricken out. Seconded by Senator Woods and carried.

Senator Crabbe moved that the item of "High Lift Reservoir and Pipe, \$25,000.00" be stricken out. Seconded by Senator Woods and carried.

Senator Achi moved that the item "Purchase of 100,000 feet of Cast Iron Pipe, \$175,000.00" be amended to read "Purchase of Cast Iron Pipe, \$175,000.00." Seconded by Senator Dickey and carried.

Senator Achi moved that the item of "School Houses and Teachers' Cottages, Island of Hawaii, \$40,000.00" be increased to \$41,800.00. Seconded by Senator J. T. Brown.

Senator Paris moved that the item pass at \$41,000.00. Seconded by Senator J. T. Brown and carried.

Senator Achi moved to insert new item of "Homestead Road, Kolo to Kukuipae, \$2,000.00." Seconded by Senator Woods and carried.

Senator Paris moved to insert new item of "Extension of Main Government Road from Kalahiki to Honokua, \$4,000.00." Seconded by Senator Achi and carried.

Senator Baldwin moved that the item "Abutments, Wailuku Bridge, \$4,000.00" be stricken out. Seconded by Senator Dickey and carried.

The Chair appointed Senators Isenberg, Dickey and Kalau-  
okalani as a committee to investigate the Band.

At 11:55 o'clock Senator Crabbe moved to take a recess until 2 o'clock. Seconded by Senator Woods and carried.

## AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Senator Isenberg moved to reconsider item of "New Insane Asylum, Oahu, \$50,000." Seconded by Senator McCandless and carried.

Senator Isenberg moved that the item pass at \$75,000. Seconded by Senator Woods and carried.

Senator Baldwin moved to insert new item of "New Road. Kihei to Ulupalakua, \$5,000.00." Seconded by Senator Woods and carried.

Senator Kaiue moved to insert new item of "Relocating, Macadamizing road, Puuhele to Kihei, \$6,000.00." Seconded by Senator Woods and carried.

Senator Kaiue moved to insert item of "Relocating and Constructing road, Wailuku to Iao, \$18,000.00." Seconded by Senator Dickey and carried.

Senator Isenberg moved to reconsider the item. Seconded by Senator Achi and carried.

Senator Dickey moved that the item pass at \$10,000.00. Seconded by Senator McCandless and carried.

Senator Isenberg moved that the item "Fort Street Extension \$30,000.00." be reduced to \$20,000.00. Seconded by Senator Woods and carried.

Senator Isenberg moved that the item "Queen Street Extension, \$25,000.00" be stricken out. Seconded by Senator Dickey and lost.

Senator Nakapaahu moved to insert new item of "Steel Bridge Wahiawa, \$4,500.00." Seconded by Senator Isenberg and carried.

Senator McCandless moved to reconsider item of "New Penitentiary, Oahu (partial completion; completion of plans to cost \$150,000 more), \$100,000.00." Seconded by Senator J. T. Brown and lost.

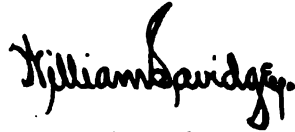
The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: Senator Isenberg—1.

Not Present: Senators C. Brown and Kaohi—2.

At 2:35 o'clock Senator J. T. Brown moved to adjourn until 10 o'clock on Monday. Seconded by Senator Nakapaahu and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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FIFTY-THIRD DAY.

Monday, April 20th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock. After prayer by the Chaplain, the roll was called showing Senators Baldwin and Kaohi absent.

The Journal of the Fifty-second Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Nakapaahu, approved as read.

Senator Paris for the Committee on Public Expenditures reported on House Bill No. 144, as follows:

Senate Chamber,  
Honolulu, T. H., 17 April, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Standing Committee on Public Expenditures, to which was referred House Bill No. 144, begs leave to report upon the same and to recommend the following amendments and additions to the bill as printed:

Sec. 2. After the word "license" in line 5 insert the words "or licenses."



Sec. 4. Strike out line 2 and add to line 1: "One Thousand five hundred dollars for the District of Honolulu and one thousand dollars for any other Judicial District within the Territory."

Sec. 6. After the word "license" in line 1 insert the words "or licenses." In line 3 after the words "sold by the," insert the words "sheriff or a." Strike out lines 4 and 5 and insert in lieu thereof: "licenses are intended. Three licenses may be issued and sold in the Judicial District of Honolulu, but not more than one in any other Judicial District of the Territory."

Sec. 9. In line five strike out the word "one" and insert in lieu thereof the word "four."

Sec. 10. In line 5 strike out the word "one" and insert in lieu thereof the word "two." In line 11 strike out the word "one" and insert in lieu thereof the word "two."

Sec. 14. Strike out all of line 3 after the words "the hours," and all of line 4 and insert in lieu thereof the words "seven o'clock in the morning and nine o'clock at night every day excepting Sunday."

Section 15. Strike out all of the Section after the word "business" in line 3 and insert in lieu thereof "or sell opium or any preparation thereof to women or minors or permit women or minors to be upon said premises."

Sec. 16. Add to the Section: "There shall not be maintained or conducted upon said premises any amusement or sport or any business of any description whatever other than that authorized by the license to sell opium or a preparation thereof."

Sec. 17. In line 7 strike out the words "fifty dollars" and insert in lieu thereof the words "one hundred dollars."

Sec. 18. Add to the Section the words "which book shall in ordinary regular office hours be open to the inspection of the public without charge."

After Section 20 insert a new Section to read as follows:

"Sec. 21. Whenever any person by excessive use of opium or a preparation thereof secured from any holder of a license or employee or servant of the holder of a license under this Act, misspends or wastes or lessens his estate or greatly injures his health or interrupts the peace and happiness of his family or becomes a nuisance to the public, the wife, son, daughter, brother, sister, parent or guardian of such person or the District Magistrate of the District or the Circuit Judge of the Circuit in which such person resides, or the sheriff or any deputy sheriff may notify in writing any licensee or licensees under this Act not to sell any opium or any preparation thereof to such person for the term of one year thereafter and the serving of such notice shall be prima facie evidence of the receipt thereof by such licensee or licensees. The penalty for violation of this Section shall be a fine of not more

than One Hundred Dollars or imprisonment at hard labor for not more than three months or both at the discretion of the District Magistrate."

Sec. 26. Line 1. After the word "shall" insert the word "knowingly."

Sec. 27. Line 1. Strike out the word "any" and insert in lieu thereof the word "a."

Sec. 28. Strike out the word "one-half" in line 1 and insert in lieu thereof the words "ten per cent."

Strike out all of Section 30.

Renumber the Sections from and including Section 21.

And your committee recommends that the bill as so amended and added to do pass.

In Section 10, Line 26, strike out all after the word "void" to the last word in line and insert, "upon conviction before any District Magistrate or Judge."

Respectfully submitted,

J. D. PARIS,

L. L. McCANDLESS,

L. NAKAPAAHU,

Committee.

Senator Kalaauokalani moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Nakapaahu and carried.

Senator C. Brown moved that as an error had been made by the Clerk of the House in transmitting Senate Bill No. 4, that the Clerk be instructed to immediately return the bill to the House, and that the Senate withdraws its concurrence to the same. Seconded by Senator McCandless and carried.

Senator Achi for the Judiciary Committee reported on Senate Bills Nos. 173, 174, 175, 177 and 178 as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Judiciary Committee, to whom Senate Bills numbers 173, 174, 175, 177 and 178 were referred, respectfully report as follows:

There is attached to each of the above Acts a statement or note showing the reasons why each bill is desired to be passed. The Chief Justice recommends the passage of the same in his Report.

We recommend that the above stated Acts may be passed.

Respectfully submitted,

CECIL BROWN,

W. C. ACHI,

PALMER P. WOODS.

Senator C. Brown moved that the report of the committee on Senate Bill No. 173 be adopted. Seconded by Senator J. T. Brown and carried.

Senator J. T. Brown moved that the bill be read third time tomorrow. Seconded by Senator Nakapaahu and carried.

Senator McCandless moved that the report of the committee on Senate Bill No. 174 be adopted. Seconded by Senator Woods and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Wilcox and carried.

Senator McCandless moved that the report of the committee on Senate Bill No. 175 be adopted. Seconded by Senator Woods and carried.

Senator J. T. Brown moved that the bill be read third time tomorrow. Seconded by Senator Nakapaahu and carried.

Senator McCandless moved that the report of the committee on Senate Bill No. 177 be adopted. Seconded by Senator Woods and carried.

Senator McCandless moved that the bill be read third time tomorrow. Seconded by Senator Woods and carried.

Senator McCandless moved that the report of the committee on Senate Bill No. 178 be adopted. Seconded by Senator J. T. Brown and carried.

Senator J. T. Brown moved that the bill be read third time tomorrow. Seconded by Senator McCandless and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on House Bill No. 71, as follows:

Honolulu, T. H., April 20, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee to which was referred House Bill 71, relating to Spirituous Liquors, report as follows:

This Act merely changes the penalty from two years' imprisonment to one year.

The Section amended has already been amended by Senate Bill 21, which has passed the Senate and is now in the House.

Your committee recommends that the bill be laid on the table.

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator J. T. Brown moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Nakapaahu and carried.

Senator Baldwin for the Ways and Means Committee made a verbal report on concurrent resolution relating to the printing and distribution of the County Bill, recommending that the resolution be laid on the table as the item has already been inserted in the Appropriation Bill.

Senator Achi moved that the report of the committee be adopted. Seconded by Senator McCandless and carried.

Senator Achi for the Judiciary Committee reported on Senate Bill No. 176, as follows:

HON. C. L. CRABBE,

President of the Senate.

Sir:—Your Judiciary Committee, to whom Senate Bill No. 176 was referred, respectfully report as follows:

The above Bill consolidates eight or more former laws which are included in Civil Laws Sections 896, 1114, 1115, 1116 and amends the same by including in the District of Honolulu all islands not included in any other District.

This Bill also makes certain what is at least left in doubt by the County Act, as to whether Civil Laws Sections 1114 and 1115 are to continue in force.

There are only few changes in the bill from the old laws.

A. The Governor has appointed a Judge for Kalawao and Kalaupapa, and we believe it is a good move, so we make it a separate District.

B. In the olden times Honuaua was a different Judicial District from Walluku, but lately on account of the appointee being a Walluku man, the two Districts of Walluku and Honuaua were made into one District; but we understand that said appointee is now dead, and we further believe an appointee for a Judgeship should be appointed from a resident of the District. We separate Honuaua from Walluku, and add Kahikinui and Kahoolawe to the District of Honuaua, because Honuaua is more convenient to the people of Kahikinui than Kipahulu.

Your committee recommends the following changes in the Bill in order to agree with the conditions now:

1st. Change the word "Six" in line 16, page 2. to "eight." Strike out the words "and also including Honuaua and Kahoolawe" in line 19, page 3.

Strike out the word "Kahikinui" in line 21, page 3.

Strike out the words "and Kahikinui" in line 23, page 3.

Insert the word "and" between "Kipahulu" and "Kaupo" in same line.

Add at the end of line 27, page 3, the words "except Kalawao and Kalawao."

Insert new lines after line 28, as follows:

28a. 7. Honuaua, Kahikinui and Kahoolawe to be called the Honuaua District.

28b. 8. Kalaupapa and Kalawao to be called the Kalaupapa District.

Change the word "five" in line 29, page 3, to "six."

Strike out all after the first word in line 32, page 3.

Insert a new line after line 36, as follows:

6. Waianae.

Insert the word "twentieth" between the words "the" and "day" in Section 3.

Insert the word "after" in place of the word "of" in Section 3.

With the above amendments we recommend that the Bill may be passed.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator Dickey moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Kalauokalani and carried.

A communication from the House of Representatives notifying the Senate of the concurrence by the House in the amendments by the Senate to House Bills Nos. 5, 28 and 94 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 20, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to inform your Honorable Body that the House of Representatives has concurred in the Senate amendments to the following House Bills:

House Bill No. 5, entitled "An Act providing for the drawing, summoning and empanneling of grand and trial jurors."

House Bill No. 28, entitled "An Act relating to Passenger Vehicles and Drivers, and to regulate and license the same."

House Bill No. 94, entitled "An Act to Encourage Diversified Industries."

Very respectfully,

S. MEHEULA,  
Clerk.

A communication from the House of Representatives transmitting House Bills Nos. 96 and 186 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 18th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill 96, entitled "An Act to permit the Citizens of the Territory of Hawaii to gather Mailles, Ferns, Ieie, Awapuhi and evergreens from Government lands," and

House Bill No. 186, entitled "An Act granting divorce and separation from the bonds of matrimony to persons afflicted with leprosy,"

which have passed their respective Third Readings in the House of Representatives, Territory of Hawaii, this 18th day of April, A. D. 1903.

Respectfully submitted,

S. MEHEULA,  
Clerk.

Senator Dickey moved that the bills be read first time by title. Seconded by Senator Achi and carried.

First Reading of House Bill No. 96, entitled "An Act to permit the Citizens of the Territory of Hawaii to gather Mailles, Ferns, Ieie, Awapuhi and evergreens from the Government Lands."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

First Reading of House Bill No. 186, entitled "An Act Granting Divorce and Separation from the Bonds of Matrimony to persons afflicted with Leprosy."

Senator J. T. Brown moved that the bill pass first reading. Seconded by Senator Dickey and carried.

Senator Kalauokalani offered a resolution that \$30,240.00 be inserted in the Appropriation Bill for extra Police, as follows:

#### RESOLUTION.

Be it Resolved by the Senate of the Legislature of the Territory of Hawaii, assembled, That the sum of Thirty Thousand, Two Hundred and Forty Dollars be inserted in the Appropriation Bill for 12 foot police at Sixty Dollars a month; and for 6 mounted police at Ninety Dollars a month, for the City of Honolulu.

D. KALAUOKALANI,  
Senator 3rd Senatorial District, T. H.

Dated, Honolulu, April 20, 1903.

Senator Achi moved that the resolution be laid on the table to be considered with the Appropriation Bill. Seconded by Senator Woods and carried.

Senator J. T. Brown offered a Joint Resolution relating to the Fish Market at Waiakea, as follows:

#### JOINT RESOLUTION.

Be it Resolved by the Senate and House of Representatives of the Territory of Hawaii:

Whereas, the Wholesale Fish Market at Waiakea, Hilo, Hawaii, is being carried on for the benefit of a few private individuals, under the Regulations of the Board of Health;

Be it therefore Resolved, That the Board of Health is hereby ordered to close said market.

JOHN T. BROWN,  
Senator 1st District.

Honolulu, April 20, 1903.

Senator J. T. Brown moved that the resolution be adopted. Seconded by Senator Kalauokalani.

Senator Dickey moved as an amendment that the resolution be referred to a Special Committee of Hawaiian Citizens. Seconded by Senator Paris and carried.

The Chair appointed the following committee: Senators Paris, Kaohi, Woods and J. T. Brown.

Senator Achi gave notice of intention to introduce a bill, entitled "An Act to provide for the filing of suits in Forma Pauperis."

Under suspension of the rules Senator Achi introduced a bill entitled "An Act to provide for the filing of suits in Forma Pauperis."

Senator Achi moved that the bill pass first reading. Seconded by Senator J. T. Brown and carried.

Senator Achi moved that the bill be read second time tomorrow. Seconded by Senator McCandless and carried.

Senator Isenberg offered a resolution that \$750 be inserted in the Appropriation Bill for an ambulance for the Board of Health, as follows:

#### RESOLUTION.

Be it Resolved, That the amount of \$750 be put into the Appropriation Bill for an ambulance for the Board of Health.

PAUL R. ISENBERG,  
Senator 3rd District.

Senator Baldwin moved that the resolution be adopted. Seconded by Senator Dickey and carried.

Senator McCandless introduced a Joint Resolution relating to certain lands in the new Olaa tract being reserved, as follows:

#### JOINT RESOLUTION.

Whereas lots numbered 56, 57, 58, 59, 144 and 145, both inclusive of the new Olaa tract altogether containing 299.31 acres of land of poor quality unfit for settlement, are occupied by an extinct crater of such proportion and age that it is holding a considerable amount of water;

Whereas, with a small amount of work in the way of a dam at the outlet still larger quantity of water may be stored for domestic purposes, irrigation, fluming, etc.;

Whereas, a large number of settlers have located upon and are now residing in said new Olaa tract below the lots above enumerated, which settlers in water supply depend upon the reservoir above mentioned and would be greatly harmed should the reservoir become an object of a private monopoly;

Resolved by the Senate, the House of Representatives concurring, That the above enumerated lots be recommended to be forever withdrawn from entry and alienation, and the Governor and the Commissioner of Public Lands of the Territory of Hawaii be requested to take such step within their respective powers to reserve same for public purposes.

L. L. McCANDLESS,  
Senator 3rd District.

Senator Dickey moved that the resolution be adopted. Seconded by Senator C. Brown and carried.

Senator Kaiue offered a resolution for an Appropriation for a dam at the Wailuku River, as follows:

#### RESOLUTION.

Resolved, That the sum of One Thousand, Two Hundred Dollars (\$1,200.00) shall be inserted in the Appropriation Bill for a dam for Wailuku, Maui, mauka of Wailuku Bridge.

S. E. KAIUE,  
Senator 2nd District.

Honolulu, T. H., April 20, 1903.

Senator Baldwin moved as an amendment that the appropriation be made for retaining walls instead of a dam. Seconded by Senator Dickey and adopted.



Second Reading of Senate Bill No. 49, entitled "An Act Dedicating and Granting to the County of East Hawaii the use of certain lands in the District of Hilo, Island of Hawaii, for park and other public purposes."

Senator Dickey moved to strike out Section 2. Seconded by Senator McCandless and carried.

Senator Dickey moved to amend Section 3 as follows: "Section 2. This Act shall take effect from and after its approval." Seconded by Senator McCandless and carried.

Senator J. T. Brown moved that the bill pass second reading. Seconded by Senator Nakapaahu and carried.

Second Reading of Senate Bill No. 149, entitled "An Act to Regulate and License Insurance Business in this Territory."

Senator Baldwin moved that the bill be read Section by Section. Seconded by Senator Dickey and carried.

The following amendments were made:

Section 1. The word "Treasurer" inserted in place of the word "Auditor" in line 4.

Section 2. The words "or by imprisonment not more than thirty days or by both" stricken out of lines 14 and 15.

Section 3. The words "or net surplus" added at the end of the Section.

Section 4. The words "outside of the Territory of Hawaii" inserted in place of the words "in any of the United States," in lines 8 and 9.

The words "or net surplus" inserted in line 10, between the words "capital" and "of."

The word "two" stricken out of line 11 and the word "one" inserted. Sub-division 3 stricken out.

Section 6. The words "and imprisonment for a term not exceeding six months in the discretion of the Court" stricken out of lines 8 and 9.

Section 7. The word "two" stricken out of line 4 and the word "one" inserted.

The word "of" inserted in line 5 between the words "dollars" and "each."

The words "fifty thousand dollars" inserted in the line 5 between the words "which" and "must."

Section 9. The word "one" inserted in place of the word "two" in line 18.

Section 11. The words "fifteenth day of April" inserted in place of the words "first day of March" in line 8.

Section 13. The word "Territory" substituted for the word "State" in line 15.

Section 15. The word "surplus" substituted for the word "assets" in lines 4 and 10.

Section 16. The word "April" substituted for the word "February" in line 1 of sub-division 1.

The words "fifteenth day of April" inserted in place of the words "fifteenth day of March" in line 2 of sub-division 2.

The words "in the case of fire insurance companies" inserted in line 8 of sub-division 2.

The word "estimated" inserted in place of the word "unexpected" in line 9 of sub-division 9.

The words "and which in the case of life insurance companies must be computed on the basis of either the American experience or the combined experience table of mortality, with interest at the rate of not less than four per cent. per annum" added to the end of line 10.

At 12:05 o'clock Senator J. T. Brown moved to take a recess until 2 o'clock. Seconded by Senator Nakapaahu and carried.

#### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Second Reading of Senate Bill No. 149, continued.

Section 17. The words "fifteenth day of April" inserted in place of the words "first day of March" in line 4.

Section 19. Stricken out.

Section 20. Renumbered Section 19.

The words "first applied to the payment of the expense of the Insurance Department including expenses of County examinations and the balance shall be paid" stricken out of lines 16, 17, 18 and 19, and the words "as a government realization" added to the end of line 19.

Section 22. Stricken out.

Section 23. Stricken out.

Section 24. Renumbered Section 20.

Section 25. Renumbered Section 21.

Section 26. Renumbered Section 22.

The words "paid up capital" inserted in line 7.

The word "Territory" inserted in place of the word "State" in line 8.

Section 23. Insert the word "April" in place of the word "February" in line 4.

Insert the words "shall pay to the Treasurer of the Territory through the Insurance Commissioner a tax of two per

cent. on the net profits or income above the actual operating and business expenses and amounts paid to policy holders" in line 6, after the words "Territory and."

Strike out the words "the net amounts actually paid policy holders for losses during the same time in this Territory and shall pay into the Treasury of the Territory through the Commissioner a tax of two per cent. on all such premiums received less the amount actually paid policy holders" in lines 6, 7, 8 and 9.

Insert the word "tax" in place of the word "payment."

The word "paid" in place of the word "made" and the word "settlement" in place of the word "payment" in line 10.

Insert the words "excepting the fees as set forth in Section 19" after the word "Territory" in line 11.

Insert the words "or before the fifteenth day of November" in place of the words "the first day of March" in line 12.

Section 24. Insert the words "a risk" in place of the word "property" in line 3.

Insert the words "bona fide resident, firm or corporation" in place of the word "citizen" in line 5.

Section 29. Renumbered Section 25.

Insert new Section as follows:

"Section 26. This Act shall go into effect on the first day of October, A. D. 1903."

Senator Achi moved that the bill pass second reading as amended. Seconded by Senator Woods and carried.

Senator Baldwin moved that the bill be read third time tomorrow. Seconded by Senator Woods and carried.

Third Reading of Senate Bill No. 166, entitled "An Act to Regulate the Practice of Pharmacy and the Selling, Compounding and Dispensing of Drugs, Chemicals and Poisons in the Territory of Hawaii."

Senator Achi moved to defer consideration until tomorrow. Seconded by Senator McCandless and carried.

Second Reading of Senate Bill No. 169, entitled "An Act authorizing foreclosure and sale to enforce the lien of shipping companies and other common carriers."

Senator Achi moved that the bill pass second reading. Seconded by Senator J. T. Brown and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator J. T. Brown and carried.

Third Reading of Senate Bill No. 107, entitled "An Act making Special Appropriations for the Departmental use of the Territory during Six Months from July first, A. D. 1903, which will end with the Thirty-first day of December, A. D. 1903."

Senator Achi moved that the bill be deferred until this evening. Seconded by Senator Dickey and carried.

Second Reading of Senate Bill No. 172, entitled "An Act to amend Acts regulating the Practice of Medicines in the Territory of Hawaii."

Senator J. T. Brown moved that the report of the committee be adopted. Seconded by Senator Nakapaahu and carried.

Senator J. T. Brown moved that the bill be read third time tomorrow. Seconded by Senator Achi and carried.

Third Reading of Senate Bill No. 187, entitled "An Act to amend Section 11a, Act 64, Session Laws of 1898."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Dickey, Isenberg, Kaiue, Kalaauokalani, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators Crabbe, Kaohi and McCandless—3.

Third Reading of Senate Bill No. 188, entitled "An Act for the incorporation of Societies for the prevention of cruelty to children."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Kaohi—1.

Third Reading of House Bill No. 83, entitled "An Act to provide for a right of action for damages for death caused by wrongful act, neglect or default."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Kaohi—1.

Third Reading of House Bill No. 185, entitled "An Act to Appropriate Money for the Breakwater and Wharf at Kalaupapa, Molokai."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalanokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Kaohi—1.

Third Reading of Senate Bill No. 155, entitled "An Act Relating to the Construction and Operation of Railways and amending an Act entitled 'An Act to Promote the Construction of Railways,' being Chapter 29 of the Laws of 1878."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalanokalani, McCandless, Nakapaahu, Paris and Wilcox—13.

Noes: None.

Not Present: Senators Kaohi and Woods—2.

Third Reading of Senate Bill No. 186, entitled "An Act to amend the Act ——— of the Session Laws of 1893, entitled 'An Act to license the retail sale of Malt Liquors.'"

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalanokalani, McCandless, Nakapaahu, Paris, Wilcox and Isenberg—13.

Noes: None.

Not Present: Senators Kaohi and Woods—2.

Third Reading of Senate Bill No. 182, entitled "An Act Relating to Stamp Duties amending and repealing certain provisions on that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalanokalani, McCandless, Nakapaahu, Paris, Wilcox and Isenberg—13.

Noes: None.

Not Present: Senators Kaohi and Woods—2.

Third Reading of Senate Bill No. 173, entitled "An Act Relating to Agriculture and Forestry, amending and repealing certain Laws on that subject."

Senator Baldwin moved that the bill be deferred until the 22nd of April. Seconded by Senator Dickey and carried.

Third Reading of Senate Bill No. 183, entitled "An Act Relating to Currency, amending and repealing certain laws on that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, McCandless, Nakapaahu, Paris and Wilcox—13.

Noes: None.

Not Present: Senators Kaohi and Woods—2.

Under suspension of the rules Senator Baldwin gave notice of intention to introduce a bill entitled "An Act to provide for the Encouragement and Protection of Agriculture, Horticulture and Forestry."

Senator Baldwin introduced a bill entitled "An Act to Provide for the Encouragement and Protection of Agriculture, Horticulture and Forestry."

Senator Dickey moved that the bill pass first reading. Seconded by Senator McCandless and carried.

Second Reading of Senate Bill No. 160, entitled "An Act to Provide for the Safeguarding of Electrical Installation."

Senator McCandless moved that the bill be deferred until tomorrow. Seconded by Senator Dickey and carried.

Second Reading of Senate Bill No. 180, entitled "An Act Relating to the Auditor and Deputy Auditor, amending and repealing certain provisions relating thereto."

Senator Dickey moved that the bill pass second reading. Seconded by Senator Woods and carried.

Second Reading of House Bill No. 142, entitled "An Act to amend Sections 3 and 10 of Act 21 of the Session Laws of 1893, relating to an Act to Prohibit Gambling and Gaming."

Senator Baldwin moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Senator Achi moved that the bill pass second reading. Seconded by Senator McCandless and carried.

Second Reading of House Bill No. 134, entitled "An Act to amend Sections 1 and 2 of Act 29 of the Session Laws of 1898, entitled 'An Act to convert Land at Kalii, Makiki, Honolulu, etc., etc.'"

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator McCandless and carried.

At 3:45 o'clock Senator Paris moved to take a recess until 7:30 o'clock this evening. Seconded by Senator J. T. Brown and carried.

## EVENING SESSION.

The Senate re-convened at 7:30 o'clock.

A communication from the House of Representatives transmitting House Bill No. 181 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 20, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill No. 181, entitled "An Act to authorize H. M. von Holt, his associates, successors and assigns, to construct, maintain and operate a railroad in certain districts of the Island of Kauai, in the Territory of Hawaii which has passed its Third Reading in the House of Representatives, Territory of Hawaii, this 20th day of April, A. D. 1903.

Respectfully submitted,

S. MEHEULA,  
Clerk.

The President here called Senator Isenberg to the Chair. Senator Achi moved that the bill be read first time by title. Seconded by Senator Crabbe and carried.

First Reading of House Bill No. 181, entitled "An Act to authorize H. M. von Holt, his associates, successors and assigns, to construct, maintain and operate a railroad in certain Districts of the Island of Kauai."

Senator Achi moved that the bill pass first reading. Seconded by Senator Crabbe and carried.

Senator Crabbe moved that the bill be read second time tomorrow. Seconded by Senator Achi and carried.

Third Reading of Senate Bill No. 107.

Senator Achi moved that the item "Printing and Advertising and Distribution of the County Act gratuitously, \$6,000.00" be increased to \$14,000. Seconded by Senator Crabbe and carried.

Senator Achi moved to reconsider item of "Incidentals, \$2,400.00." Seconded by Senator J. T. Brown and carried.

Senator Achi moved that the item pass at \$3,000.00. Seconded by Senator J. T. Brown and carried.

Senator Kaiue moved that the item "Purchase of Law Books, Circuit Courts other than First Circuit, to be expended by the Supreme Court, \$2,000.00" be increased to \$4,000.00. Seconded by Senator Kalauokalani and carried.

Senator Achi moved that the item "Expenses defending Fisheries Cases, or as much thereof as is needed at Washington, \$10,000.00," be stricken out and the item "Incidentals, Civil and Criminal Cases" pass as \$50,000.00. Seconded by Senator Dickey.

Senator Baldwin moved that the item pass at \$45,000.00. Seconded by Senator McCandless and carried.

Senator Crabbe moved that the item "Purchasing Team of Horses for Patrol Wagon, \$400.00" be increased to \$700.00. Seconded by Senator Woods and carried.

Senator Achi moved to insert new item of "Expenses under Torrens Act, \$30,000.00." Seconded by Senator Crabbe and carried.

Senator Kalauokalani moved that the item "Repairs, Furniture and Additions to Public Buildings, \$30,000.00" be increased to \$50,000.00. Seconded by Senator Crabbe and carried.

Senator Paris moved that the item "Landings and Buoys, Hawaii, \$8,000.00" be increased to \$10,000.00. Seconded by Senator McCandless and carried.

Senator Baldwin moved that the item "Landings and Buoys, Molokai, including Kalaupapa, \$3,000.00" be increased to \$4,000.00. Seconded by Senator Kalauokalani and lost.

Senator McCandless moved to increase item of "Electric Light, Honolulu, \$12,000.00" to \$24,000.00. Seconded by Senator Kalauokalani and carried.

Senator Baldwin moved that the item "Landings and Buoya, Molokai, including Kalaupapa, \$3,000.00" be reconsidered. Seconded by Senator Woods and carried.

Senator Baldwin moved that the item pass at \$4,000.00. Seconded by Senator Woods and carried.

Senator Crabbe moved that the item "Fencing and Grading Government Lots, \$2,000.00" pass at \$10,000.00. Seconded by Senator Achi and carried.

Senator Achi moved to insert item of "Jail at Honuaula, \$400.00." Seconded by Senator Kaiue and carried.

Senator Achi moved that to insert new item of "Water Pipe, Kalihi Street to the Beach, \$2,500.00." Seconded by Senator McCandless and carried.



Senator Dickey moved to insert new item of "Equipment and Maintenance of Combination Chemical and Hose Wagon, Lahaina, Maui, \$1,120.00." Seconded by Senator Kalaauokalani and carried.

Senator Kalaauokalani moved to insert new item "Bridge at Puwaiole, \$3,600.00." Seconded by Senator Woods and carried.

Senator Achi moved to insert new item "Pali Road, Nuuanu, \$8,000.00." Seconded by Senator McCandless and carried.

Senator Isenberg moved to insert new item of "Railing Diamond Head Road, \$500.00." Seconded by Senator Achi and carried.

Senator Wilcox moved to insert new item of "Engineer for Superintendence of Instruction at Waialeale, \$600.00." Seconded by Senator Woods and carried.

Senator Kalaauokalani moved to insert new item of "Personal Freight of Lepers in care of the Board of Health, \$5,000.00." Seconded by Senator Woods and carried.

Senator Kalaauokalani moved that the item "Freight and Passenger Guarantee" be amended to read "Freight and Passenger Guarantee for weekly common carrier service between Honolulu, (Oahu) and Naunakakai, Kamalo, Pukoo, Halawa, Wailau, Pelekunu and Kalaupapa (Molokai) and Kalapalaoa (Lanai) not to exceed the sum of \$5,200, and to be awarded after public bid or tender to the lowest bidder, provided, however, that a passenger steamer is used."

Senator Paris moved to insert new item of "Printing Books and Blanks for County Officers, \$12,500." Seconded by Senator Woods and carried.

Senator Dickey moved to insert new item of "Governor's Office, Incidentals, \$1,000.00." Seconded by Senator Paris and carried.

Senator Achi moved to insert new item of "Money advanced by land owners along River Street, St. Louis Alley and Vineyard Street, \$2,500.00." Seconded by Senator McCandless and carried.

Senator Crabbe moved to insert new item of "Maintenance and Repair Tantalus Road, \$3,000.00." Seconded by Senator Woods and carried.

Senator Crabbe moved to insert new item of "Union Feed Co., for Money advanced for 4-inch Pipe, \$800.15." Seconded by Senator Woods and carried.

Senator Achi moved to insert new item of "To reimburse merchants re expenses J. G. Pratt and his services to Washington, \$10,000.00." Seconded by Senator McCandless and carried.

Senator Dickey moved to insert all items in Senate Bill No. 34 (Emergency Bill) before Section 2. Seconded by Senator Woods and carried.

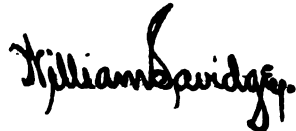
The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, McCandless, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: None.

Not Present: Senators C. Brown, J. T. Brown and Kaohi—3.

At 9:15 o'clock Senator Kalaauokalani moved to adjourn. Seconded by Senator Woods and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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## FIFTY-FOURTH DAY.

Tuesday, April 21st, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, McCandless, Nakapaahu and Paris absent.

The Journal of the Fifty-third Day was read and, upon motion of Senator Kalaauokalani, seconded by Senator J. T. Brown, approved as read.

A communication from the Clerk of the House of Representatives transmitting House Bill No. 8 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 20, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith transmit House Bill No. 8, entitled "An Act to repeal Sections 917, 920, 922, 924 and 925 of the Penal Laws as compiled in A. D. 1897, relating to vaccination, and to prohibit the Board of Health from making and proclaiming any rules or regulations whereby children may be compelled to be vaccinated," which passed its Third Reading in the House of Representatives, Territory of Hawaii, this 20th day of April, A. D. 1903.

Respectfully submitted,

S. MEHEULA,  
Clerk.

Senator Kalauokalani moved that the bill be read first time by title. Seconded by Senator Nakapaahu and carried.

First Reading of House Bill No. 8, entitled "An Act to repeal Sections 917, 920, 922, 924 and 925 of the Penal Laws as compiled in A. D. 1897, relating to vaccination, and to prohibit the Board of Health from making and proclaiming any rules or regulations whereby children may be compelled to be vaccinated."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator J. T. Brown and carried.

Senator C. Brown for the Judiciary Committee reported on House Bill No. 145, as follows:

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee, to whom was referred House Bill No. 145, report that the Bill authorizes the issuing by District Magistrates of Commissions to take testimony and depositions of witnesses in cases pending before them where such witnesses are non-residents in their jurisdiction.

There is no doubt that the several District Magistrates have now no such power. Section 1528 of the Civil Laws, which is Section 1248 of the Civil Code, only gave that power in equity, admiralty and probate matters, and Chapter 33 of the laws of 1876 conferred it upon Courts of record; we think the power

should be vested in the District Magistrates, and that it will facilitate the practice and decisions of cases in those Courts, and therefore recommend the passage of the Bill .

Honolulu, April 21, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator J. T. Brown and carried.

Senator Kalaauokalani moved that the bill be read third time tomorrow. Seconded by Senator Nakapaahu and carried.

Senator C. Brown for the same committee reported on House Bill No. 141, as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee, to whom was referred House Bill No. 141, report that the Act amends Section 370 of the Penal Laws by changing the punishment inflicted from six to twelve months; we believe that the increase in punishment will be beneficial and tend to prevent the increase in the class of misdemeanors set forth in the law as now existing, and therefore recommend the passage of the Bill.

Honolulu, April 21, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Kalaauokalani and carried.

Senator Kalaauokalani moved that the bill be read third time tomorrow. Seconded by Senator J. T. Brown and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 179, as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 179, report that the object of the Act is to make changes in the existing law in relation to the Treasurer's Office, made necessary by the Organic Act, the Audit Act, Tax

laws and the County Bill. The amendment to Section 469 of the Civil Code, Civil Laws Section 655, is made necessary by the Organic Act and Tax law; under the provisions of that Section as it now is, the Treasurer collects and enforces the revenue laws and the collection of duties on imported goods as well as the collection of taxes. These duties are eliminated by this amendment, and his duties confined to what belongs strictly to that office.

The second Section, repealing Sections 658, 663 and 664 of the Civil Laws are following out the same lines for the same reasons.

We recommend the passage of the Act.  
Honolulu, April 21, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Isenberg and carried.

Senator Isenberg moved that the bill be read third time tomorrow. Seconded by Senator Dickey and carried.

Senator C. Brown for the same committee reported on Senate Bill No. 181, as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 181, report that the Act in question amends the law relating to the assessment and collection of taxes.

The first amendment strikes out the giving of a certificate by the Road Supervisor of Kona, on this Island, and the Chairman of the Road Boards in other Districts, that a party had worked out his personal taxes on the public roads, and was therefore exempt from arrest for non-payment of such taxes.

The second amendment repeals all provisions relating or authorizing the arrest of delinquent tax-payers of the personal taxes and the power of compelling the attendance and labor of persons liable to the payment of personal taxes to work on the public roads.

Sections 303 and 306 are repealed for the reason that their provisions are contained in Section 813 of the Civil Laws which is a part of Act 51 of the Session Laws of 1896.

We recommend the passage of the bill.

Honolulu, April 21, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Kalanokalani and carried.

Senator Isenberg moved that the bill be read third time tomorrow. Seconded by Senator Dickey and carried.

Senator Dickey for the Special Committee, to which was referred Senate Bill No. 83, reported as follows:

Honolulu, T. H., April 21, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Special Committee, to which was referred Senate Bill 83, making salary appropriations for Six Months ending December 31st, 1905, has had the same under consideration and begs leave to submit its report:

Your committee offers the following amendments:

1. Insert under "Permanent Settlements," "Queen Liliuokalani, \$2,500.00."

2. Insert in 5th item under "Judiciary Department," after the words "Messenger" the words "For Judiciary Building"; also to insert after the word "of" the words "3 Messengers for Executive Building, \$900.00."

6. Strike out in "Board of Agriculture, etc." the item "Pay of Superintendent of Forestry, \$6,000.00" and insert in the first item under Department of Public Works, after the word "Works" the words "Ex-officio Superintendent of Forestry and Agriculture."

7. Make the other items under "Board of Agriculture, etc." read

Assistants, Rangers and Laborers.....	\$ 5,000 00
Superintendent of Entomology . . . . .	1,500 00
Pay of Assistant Entomologists . . . . .	2,500 00
Assistants, Inspectors and Employees, Division of Entomology . . . . .	2,500 00
Pay of Clerk . . . . .	600 00

8. First item "Fire Department", make it  
"Regular Pay Roll, Honolulu Fire Department..\$ 314 10"

9. Add a new Section after Section 4, as follows:

"In case County Government is not inaugurated or does not continue during the fiscal period ending June 30th, 1905, then all salaries and pay rolls appropriated herein shall continue pro rata for the balance of said period."

With these amendments your committee recommends the passage of the bill.

Your committee also presents herewith an Appropriation Bill for the Eighteen Months beginning on the First day of January, 1904, and ending the 30th day of June, 1905.

Respectfully submitted,

C. H. DICKEY, Chairman.  
J. D. PARIS,  
S. W. WILCOX.  
J. T. BROWN,  
W. C. ACHI.

Senator McCandless moved that the report be taken up with the bill at 7:30 o'clock this evening, if not sooner. Seconded by Senator Achi and carried.

Senator Dickey introduced a bill entitled "An Act appropriating salaries and pay rolls of employees of the Territory for the Eighteen Months beginning with the first day of January, 1904, and ending June 30th, 1905."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

Senator Isenberg moved that the bill be read second time tomorrow. Seconded by Senator Dickey and carried.

A communication from the House of Representatives returning Senate Bill No. 18, as amended, was read by the Clerk, as follows:

Honolulu, H. T., April 20, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bill No. 18, entitled "An Act to Regulate the Employment of Labor on the Public Works of this Territory," which passed Third Reading this day in the House of Representatives, Territory of Hawaii, with an amendment, by adding to Section 2 the following provision: "Provided, however, that the full eight hours shall not apply to Saturdays or any holiday."

Respectfully yours,

SOLOMON MEHEULA,  
Clerk of the House.

Senator McCandless moved that the Senate concur in the amendment. Seconded by Senator Woods and carried.

Senator Achi presented a report for the majority of the committee on House Bill No. 64, as follows:

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Judiciary Committee, to whom the House Bill No. 64 was referred, respectfully report as follows:

Your committee struck out many Sections in the bill, mostly those Sections relating to the Educational Department. Your committee believe that it is wise to follow the plan laid out in the County Bill, so that the schools shall be under the management of the Territorial Board of Education.

It must be remembered that, according to the terms of the County Act, the Island of Oahu consists of one County, and by the provisions of said Act the people living in said Island would pay one per cent per year for taxes; and by the terms of the General Municipal Act, we have no reasons to doubt that the people living in the City of Honolulu would be forced to pay another half per cent. tax. In that case the people living in the City of Honolulu would have two sets of officers and two or three taxes to pay.

In order to avoid the same there is only one course to follow, that is to pass this Act (House Bill No. 64).

An amendment is inserted providing "that if any provision of this Act shall be held invalid, the Act or part of an Act of which such provision is intended to take the place, shall therefore be of full force and effect to all intents and purposes as if the same were not herein repealed.

New Sections are added repealing all provisions relating to the County of Oahu, and the City of Honolulu in the County Act and the General Municipal Act.

A new Section is added so that the Territorial Government would get twenty-five per cent. of the taxes which might be collected in the Island of Oahu, which is not provided in the House Bill.

We recommend that the Bill or Act may be passed, with the following amendments:

Strike out the words "and farm school" in paragraph 20, Section 4.

Strike out the words "buildings for public schools" in paragraph 21.

Strike out line 109, page 15.

Strike out the words "and farm schools" in paragraph 4, Section 5. Strike out paragraph 8 same Section.

Strike out section 33.

Your committee do not believe that it is a good policy to allow the City Officers to levy more taxes than One per Cent. a year.



Change Section 34 to 33.

Strike out paragraph 4, Section 35.

Strike out Section 36.

Insert 39 in place of 40 in line 2, Section 41, now 40.

Strike out Sections 43 and 44.

Strike out Section 47 relating to Sewers' charges; as we know that the Senate already decided that way.

Strike out Sections 48 and 49.

Strike out all after the word "appointed" in line 5, Section 57, relating to pay of members of the Council.

Your committee believe the members of the Council ought to be paid monthly salaries.

Strike out the words "Board of Education" in line 4, Section 58.

Insert 51 in place of 58, line 3, Section 59.

Strike out the words "Members of the Board of Education" in Section 60.

Insert the following after the word "deposited," line 13, Section 70, "as provided by law of the Legislature."

Strike out the words "City Court" in Section — and insert therein "Circuit Court of the First Circuit."

Strike out Sections 83 to 120 inclusive. All said Sections are relating to schools.

Strike out Sections 122 to 127 inclusive. Said Sections are relating to City Court. We believe the Circuit Judges in the First Circuit can handle all cases which are supposed to be tried by a City Judge; it is only incurring more expense without any special benefit.

Insert the following in Section 128:

"Except the First District, which shall elect two Magistrates," between the word "elected" and "and" in line 5, Section 128.

Strike out Section 130.

Insert the words "and Recorder" between "Clerk" and "Two," line 8.

Strike out the words "four Hundred" in line 15, Section 131.

Strike out line 17, Section 131.

Strike out line 19, Section 131.

Insert the word "each" between the words "to" and "the" in line 20, Section 131.

Strike out the word "other" in line 21, Section 131.

Insert the following words (of the Second and Third Districts) between the words "Magistrates" and "one," line 21.

Insert the following after the line 21:

22. To each of the Police Magistrates of the Fourth and Fifth Districts Six Hundred Dollars.

23. To each of the Councilmen Six Hundred Dollars.

There are several amendments relating to forms, etc.

Section 138. All the provisions of an Act entitled "An Act providing for the organization and government of Counties and Districts and management and control of Public Works

and Public Institutions therein," relating to the County of Oahu, are hereby repealed.

Section . All the provisions of an Act entitled "An Act to create General Municipal Government" which may apply to the City of Honolulu, are hereby repealed.

Section . Twenty-five per cent. of all taxes which may be collected on Real and Personal Property in the Island of Oahu, shall be paid to the Treasurer of the Territory for the benefit of the Territorial Government.

The numbers of all Sections to be changed to agree with this report.

Respectfully submitted,

W. C. ACHI,  
PALMER P. WOODS.

Senator C. Brown presented a minority report of the committee on House Bill No. 64, as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—I cannot concur in the report of the majority of the Judiciary Committee recommending the passage of House Bill No. 64, entitled "An Act Creating the City and County of Honolulu and Providing for the Government thereof."

The Legislature has already passed an Act providing for the incorporation and government of Cities within the Territory of Hawaii which is now in the hands of the Governor awaiting his approval or disapproval. It seems to me that if the Legislature of the Territory thought proper to incorporate the City and County of Honolulu, it should have done so by making the provisions necessary for that purpose in the Act already passed and referred to, and also to frame the Act providing for the organization and government of Counties in the Territory in such a manner so that the provisions of these two Acts would not be in conflict one with the other. The Territory is now on the eve of a change in its political life, caused by annexation and the conditions following that event, and I believe that all changes should be gradual and not made at once nor without any preparation for changes of a radical nature, especially in relation to our political affairs and existence.

The organization into County governments and the work proper and necessary to carry out the provisions necessary for that purpose, it seems to me, should first be thoroughly understood and properly carried out before we undertake the forming of a municipality, and the extending of a municipal government to the whole of the Island of Oahu.

The Act now in the hands of the Governor was drafted with that idea, and it is presumed the Legislature in passing it thought likewise, and I do not see how at this late day the

Legislature should enact a law commanding the doing of an Act when such Act can be done in a manner that is duly provided for and designated by law. There are many provisions of the Act under consideration that should be eliminated; the majority of the committee has made many recommendations and suggested the striking out of many Sections evidently not agreeing in toto with the Act as it now is. Should the Senate think proper to consider the Bill with a view to its passage, many amendments to the Bill should be recommended in addition to those of the majority, as well as amendments to the County Bill.

The above are but a few of the reasons that now suggest themselves to me and govern my action in recommending that House Bill No. 64 be indefinitely postponed.

Honolulu, April 20th, 1903.

Respectfully submitted, .

CECIL BROWN.

Senator Balwin moved that both reports be laid on the table to be considered with the bill. Seconded by Senator Dickey and carried.

Senator Kalauokalani moved that the report of the committee be adopted. Seconded by Senator Woods.

The motion to lay on the table to be considered with the bill was then put and lost.

The motion to adopt the report of the majority of the committee then carried.

Senator Achi moved that the bill be read third time tomorrow evening. Seconded by Senator Kalauokalani and carried.

Senator Baldwin moved that House Bill No. 78 be taken off the table and placed in the order of business. Seconded by Senator Dickey and carried.

Third Reading of Senate Bill No. 49, entitled "An Act Dedicating and Granting to the County of East Hawaii the use of certain lands in the District of Hilo, Island of Hawaii, for park and other public purposes."

Senator McCandless moved to insert after the words "Hoo-lulu Park" the words "not to be more than 200 acres." Seconded by Senator Achi and lost.

Senator McCandless moved to strike out lines 4, 5 and 6 of Section 1. Seconded by Senator Dickey and carried.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, J. T. Brown, Isenberg, Kaiue, Kalauokalani, Kaohi, Nakapaahu and Woods—9.

Noes: Senators Baldwin, C. Brown, Dickey, McCandless and Wilcox—5.

Not Present: Senator Crabbe—1.

Third Reading of Senate Bill No. 130, entitled "An Act relating to Persons and Companies engaged in the business of Insurance."

Senator McCandless moved that the bill be laid on the table. Seconded by Senator Achi and carried.

Third Reading of Senate Bill No. 169, entitled "An Act authorizing Foreclosure and Sale to enforce the lien of shipping Companies and other Common Carriers."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: Senator Dickey—1.

Not Present: Senators Crabbe and Isenberg—2.

Third Reading of Senate Bill No. 172, entitled "An Act to amend Acts relating to the Practice of Medicine in the Territory of Hawaii."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Nakapaahu, Paris and Wilcox—9.

Noes: Senators Kaiue, Kalauokalani, Kaohi, McCandless and Woods—5.

Not Present: Senator Isenberg—1.

Third Reading of Senate Bill No. 173, entitled "An Act relating to Agriculture and Forestry, amending and repealing certain laws on that subject."

Senator Baldwin moved that action be deferred. Seconded by Senator McCandless and carried.

Third Reading of Senate Bill No. 174, entitled "An Act relating to Coroners' Inquests, repealing certain laws upon that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Isenberg—1.

At 11:55 o'clock Senator C. Brown moved to take a recess until 2 o'clock. Seconded by Senator Baldwin and carried.

## AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

A communication from the House of Representatives notifying the Senate of the concurrence in the amendments to House Bill No. 83, was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 21, 1903.

To the Hon. President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to inform your Honorable Body that the House of Representatives has this day concurred in the amendments of the Senate to House Bill No. 83.

Respectfully submitted,

S. MEHEULA,  
Clerk.

A communication from the House of Representatives announcing the appointment of a conference committee on Senate Bill No. 66 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 21, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to inform your Honorable Body that the following named Representatives to represent this House on the Conference Committee on Senate Bill No. 66.

Messrs. Andrade, Kellinot and Long.

Very respectfully,

S. MEHEULA,  
Clerk.

Senator Dickey moved that a committee be appointed as a Conference Committee on Senate Bill No. 66. Seconded by Senator Wilcox and carried.

The Chair appointed the following committee: Senators C. Brown, Achi and Kaiue.

Third Reading of Senate Bill No. 149, entitled "An Act to regulate and license Insurance Business in this Territory."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris and Wilcox—14.

Noes: Senator C. Brown—1.

Third Reading of Senate Bill No. 175, entitled "An Act relating to the High Sheriff, Deputy Sheriff and Police, amending and repealing certain provisions relating thereto."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris and Wilcox—14.

Noes: Senator C. Brown—1.

Third Reading of Senate Bill No. 177, entitled "An Act relating to Offences against the Election Laws, amending certain provisions on that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

Noes: Senators Baldwin and Isenberg—2.

Third Reading of Senate Bill No. 178, entitled "An Act to repeal Act 14 of the Special Session of 1895, relating to the Labor Commission."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: Senator Achi—1.

Third Reading of Senate Bill No. 180, entitled "An Act relating to the Auditor and Deputy Auditor, amending and repealing certain provisions relative thereto."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Second Reading of House Bill No. 181, entitled "An Act to authorize H. M. von Holt, his associates, successors and assigns to construct, maintain and operate a railroad in certain Districts on the Island of Kauai, in the Territory of Hawaii."

Senator Dickey moved to insert the word "switches" in line 4 of Section 9. Seconded by Senator C. Brown and carried.

Senator C. Brown moved to insert the words "all fences and cattle guards shall be kept and maintained by the said H. M. von Holt or his associates or assigns at their own cost and expense and shall be built by him or them whenever so requested by the owners of the property through which said railroad may run. All fences so built shall be legal fences as defined by law" after the word "practice" in line 3 of Section 5. Seconded by Senator Wilcox and carried.

Senator Dickey moved to insert a new Section as follows:

"Section 14. The said H. M. von Holt, his associates, successors and assigns shall pay into the Treasury of the Territory 2 1-2 per cent. of the gross receipts of said railway after the expiration of ten years from the date of the approval of this Act." Seconded by Senator McCandless and lost.

Senator Achi moved that the bill pass second reading as amended. Seconded by Senator Nakapaahu and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator Nakapaahu and carried.

Third Reading of House Bill No. 142, entitled "An Act to amend Sections 3 and 10 of Act 21 of the Session Laws of 1893, relating to an Act to prohibit Gambling and Gaming."

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Nakapaahu, Paris, Wilcox and Woods—11.

Noes: Senators J. T. Brown, Kaohi and McCandless—3.

Not Present: Senator Isenberg—1.

Second Reading of House Bill No. 71, entitled "An Act to amend Section 424 of the Penal Laws relating to the illegal manufacture for sale of Spirituous Liquors and substances."

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

Second Reading of House Bill No. 96, entitled "An Act to permit the citizens of the Territory of Hawaii to gather Mailes. Ferns, Ieie, Awapuhi and Evergreens from the Government Lands." Referred to the Committee on Miscellaneous Petitions.

Second Reading of House Bill No. 144, entitled "An Act authorizing and providing for the sale of licenses to sell opium or a preparation thereof and the issuance of such licenses and defining the duties and powers in regard thereto of the Treasurer and Police Department and defining and prohibiting an opium smoker's den, and repealing all other laws and parts of laws in conflict herewith."

Senator Achi moved that the report of the committee be adopted. Seconded by Senator McCandless and carried.

Second Reading of House Bill No. 186, entitled "An Act Granting Divorce and Separation from the bonds of matrimony to persons afflicted with Leprosy."

Senator McCandless moved that the bill pass second reading. Seconded by Senator C. Brown and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator McCandless and carried.

Second Reading of Senate Bill No. 160, entitled "An Act to provide for the safe-guarding of electrical installation."

Senator Dickey moved that the bill be read Section by Section. Seconded by Senator McCandless and carried.

Section 1. Senator Dickey moved that the amendment proposed by the committee be adopted. Seconded by Senator McCandless and carried.

Section 2. Senator Dickey moved that the amendments proposed by the committee be adopted. Seconded by Senator McCandless and lost.

Section 3. Senator Dickey moved that the amendment proposed by the committee be adopted. Seconded by Senator McCandless and carried.

Senator Dickey moved that the balance of the Section pass as in the bill. Seconded by Senator McCandless and carried.

At 4:10 o'clock Senator Achi moved to take a recess until 7:30 o'clock this evening. Seconded by Senator Dickey and lost.

Senator Kaiue moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator J. T. Brown and carried.

*William Spidgely*

Approved by the Senate.

Clerk of the Senate.

*Charles L. Crabbe*

President of the Senate.



## FIFTY-FIFTH DAY.

Wednesday, April 22nd, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin and Dickey absent.

The Journal of the Fifty-fourth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Nakapahu, approved as read.

A communication from the House of Representatives returning Senate Bill No. 19, as amended, was read by the Clerk, as follows:

Honolulu, H. T., April 21, 1903.

To the Honorable President and  
Members of the Senate.

I beg to return herewith Senate Bill No. 19, entitled "An Act to regulate the practice of Dental Surgery in the Territory of Hawaii," which this day passed third reading in the House of Representatives of the Territory of Hawaii, with the following amendments:

On page 2, Section 3, line 4, after the word "Governor", insert the words "and such appointment be by recommendation of the Dental Society of Hawaii."

Between Sections 7 and 8 insert a new Section to be called Section 7a, to read as follows: "Section 7a. If any dentist shall be guilty of gross negligence, indecent conduct towards patients, or any such professional misbehavior as show unfitness on the part of the dentist to practice, he or she shall be guilty of a misdemeanor and upon presentation to the Board by three or more persons of such facts, certified, the license of such dentist shall be cancelled and such fact shall be noted on the record of licenses. Any person whose license shall be so cancelled shall be deemed an unlicensed person within the meaning of this Act.

In Section 5, last line, strike out the words "All examinations shall be conducted in the English language."

Respectfully submitted,

S. MEHEULA,  
Clerk.

Senator Dickey moved that the Senate concur in the amendments made by the House of Representatives to Senate Bill No. 19. Seconded by Senator Isenberg and carried.

A communication from the House of Representatives transmitting House Bill No. 191 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 21, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill No. 191, entitled "An Act to provide for the care, custody, control and payment of \$155,546.70, being the money now in the possession of the Treasurer of the Territory and designated or known as the 'Chinese Fund,'" which passed its third reading in the House of Representatives on this 21st day of April, A. D. 1903,

Respectfully submitted,

S. MEHEULA,  
Clerk.

Senator Achi moved that the bill be read first time. Seconded by Senator McCandless and carried.

First Reading of House Bill No. 191, entitled "An Act to provide for the care, custody and control and payment of One Hundred and Fifty-five Thousand, Five Hundred Forty-six and 70-100 Dollars (\$155,546.70) being the money now in the possession of the Treasurer of the Territory and designated or known as the 'Chinese Fund.'"

Senator C. Brown moved that the bill be rejected. Seconded by Senator Achi.

Senator McCandless moved as an amendment that the bill pass first reading. Seconded by Senator Dickey.

The motion to reject the bill was then put and carried.

A communication from the House of Representatives transmitting House Bill No. 79 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 21, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill 79, entitled "An Act amending Sections 1, 3, 4, 8, 12 and 16, and repealing Section 13 of Chapter 50 of the Session Laws of 1890, being an

Act entitled 'An Act to Facilitate the Collection of Debts from Government Beneficiaries,' " which has passed its third reading in the House of Representatives, Territory of Hawaii, this 21st day of April, A. D. 1903.

Respectfully submitted,

S. MEHEULA,  
Clerk.

Senator J. T. Brown moved that the bill be read first time by title. Seconded by Senator Nakapaahu and carried.

First Reading of House Bill No. 79, entitled "An Act amending Sections 1, 3, 4, 8, 12 and 16 and repealing Section 13 of Chapter 50 of the Session Laws of 1890, being an Act entitled 'An Act to Facilitate the Recovery of Debts from Government Beneficiaries.' "

Senator Achi moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

A communication from the House of Representatives returning Senate Bill No. 32, as amended, was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 21, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bill No. 32, entitled "An Act to authorize the appointment of a Commission to Compile the Statute Laws of the Territory of Hawaii," which has passed its Third Reading in the House of Representatives, Territory of Hawaii, on this 21st day of April, A. D. 1903, with the following amendments:

In Section 1, Line 1, between the words "persons" and "to" insert the words "one to be a native Hawaiian-American," so that the said line will read thus:

"Section 1. Therefore a Commission of three persons, one to be a native Hawaiian-American, to" etc.

In Section 2, Line 3, between the words "Hawaii" and "be" insert the words "shall not" so that the said line will read: "The Act to provide a Government for the Territory of Hawaii shall not be." In line 4 of the same Section strike out the word "not" at the beginning thereof. In the same line after the word "and" strike out the words "that of those of the" and insert in lieu thereof the words "when two or more," so that the said line will read as follows: "Included, and when two or more statutes which are ob-."

In line 5 of the same Section, strike out the word "later" between the words "the" and "alone" and insert in lieu thereof the words "statute last enacted," so that the said line shall read: "viciously repugnant to each other, the statute last enacted alone shall be inclu-."

In Section 11, line 3, strike out the word "it" between the words "deem" and "advisable," so that the said line will read: "made in the said compilation as they may deem advisable for."

In Section 13, Line 2, "Fifteen Hundred Dollars each," and insert in lieu thereof the words "Six Thousand," and after the word "the" at the end of said line insert the word "said" and in line 3 of the same Section strike out the words "of Four Thousand, Five Hundred Dollars," so that the said Section shall read as follows:

"Section 13. The members of said Commission shall be compensated in the sum of Six Thousand Dollars, and the said sum is hereby appropriated for that purpose."

In Section 10, at the end of Line 6, after the word "bound" insert the words "may be furnished by him free of charge to government officials for official use, and."

Very respectfully,

SOLOMON MEHEULA,

Clerk.

Senator Paris moved that the communication be referred to the Judiciary Committee. Seconded by Senator Achi and carried.

A communication from the House of Representatives notifying the Senate of the adoption of Senate Joint Resolution relating to the reservation of certain lands at Olaa was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 21, 1903.

To the Hon. President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to notify your Honorable Body that the House of Representatives has this day concurred to Senate Joint Resolution relating to Olaa tract lots numbered 56, 57, 58, 59, 144 and 145, etc.

Respectfully yours,

SOLOMON MEHEULA,

Clerk.

Second Reading of Senate Bill No. 160, entitled "An Act to Provide for the Safe-guarding of Electrical Installation."

Senator Paris moved that the report of the committee be adopted. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 83, entitled "An Act making Appropriations for salaries and pay-rolls for Six Months from July 1st, A. D. 1903, which will end the Thirty-first day of December, A. D. 1903."

Senator Achi moved to defer action until tomorrow. Seconded by Senator Kaiue and carried.

Second Reading of Senate Bill No. 166, entitled "An Act to regulate the Practice of Pharmacy and the selling, compounding and dispensing of Drugs, Chemicals and Poisons in the Territory of Hawaii."

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Isenberg and carried.

Second Reading of Senate Bill No. 176, entitled "An Act relating to Taxation, Educational and Judicial Districts, amending and consolidating certain laws upon that subject."

Senator Isenberg moved that the report of the committee be adopted. Seconded by Senator Woods and carried.

Senator J. T. Brown moved that the bill be read third time tomorrow. Seconded by Senator Woods and carried.

Second Reading of Senate Bill No. 189, entitled "An Act to provide for the filing of suits in Forma Pauperis."

Senator Achi moved that the bill pass second reading. Seconded by Senator C. Brown and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator J. T. Brown and carried.

Under suspension of the rules Senator C. Brown reported for the Joint Conference Committee on Senate Bill No. 79, as follows:

Honolulu, T. H., April 22, 1903.

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Joint Conference Committee, to whom was referred Senate Bill No. 79 to amend Section 1280 of the Civil Code as amended by Chapter 24 of the Session Laws of 1882 relating to the pay of Jurors, report that they have been in conference upon said bill, and the amendment made thereto by the House of Representatives, and have arrived at an agreement and recommend that the pay of Jurors be fixed at \$2.50

per day instead of \$3.00 as fixed by said amendment, and recommend that the pay of Jurors be fixed at the rate of \$2.50 for each day's attendance in Court.

Respectfully submitted,

CECIL BROWN,  
S. E. KAIUE,  
W. C. ACHI,  
FRANK ANDRADE,  
S. KELIINOI.

Senator Kalaauokalani moved that the report of the committee be adopted. Seconded by Senator J. T. Brown and carried.

Second Reading of Senate Bill No. 190, entitled "An Act to provide for the Encouragement and Protection of Agriculture, Horticulture and Forestry."

Senator Isenberg moved that action be deferred. Seconded by Senator McCandless and carried.

Second Reading of House Bill No. 78, entitled "An Act to amend Section 8 of Act 9 of the Session Laws of 1901, relating to the exemption of the wages of laborers and persons working for wages from attachment, execution, distress and forced sale."

Senator Achi moved that the bill pass second reading. Seconded by Senator McCandless and carried.

Senator McCandless moved that the bill be read third time tomorrow. Seconded by Senator Achi and carried.

Third Reading of Senate Bill No. 181, entitled "An Act relating to Taxes, amending and repealing certain laws on that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Baldwin and Paris—2.

Third Reading of House Bill No. 181, entitled "An Act to authorize H. M. von Holt, his associates, successors and assigns to construct, maintain and operate a railroad in certain Districts on the Island of Kauai, in the Territory of Hawaii."

Senator Woods moved that the amendment to Section 5 be stricken out. Seconded by Senator Achi and carried.

Senator Dickey moved that the word "switches" be stricken out of Section 9. Seconded by Senator C. Brown and carried.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu and Woods—12.

Noes: None.

Not Present: Senators Baldwin, Paris and Wilcox—3.

Third Reading of House Bill No. 141, entitled "An Act to amend Section 1 of Chapter 37 of the Penal Laws as amended by Act 3 of the Session Laws of 1896."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Baldwin and Paris—2.

Third Reading of House Bill No. 144, entitled "An Act authorizing and providing for the sale of licenses to sell opium, or a preparation thereof, and the issuance of such licenses and defining the duties and powers in regard thereto of the Treasurer and Police Department, and prohibiting an opium smoker's den, and repealing all other laws and parts of laws in conflict herewith."

Senator Dickey moved that the bill be indefinitely postponed. Seconded by Senator Kalaauokalani and carried.

A communication from the Secretary of the Territory notifying the Senate that the Governor had signed Act 31 was read by the Clerk, as follows:

Honolulu, H. I., April 22, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Act on the 22nd instant:

"Act 31. An Act Providing for the Organization and Government of Counties and Districts, and the Management and Control of Public Works and Public Institutions therein."

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

Senator C. Brown for the Joint Conference Committee on Senate Bill No. 66 reported as follows:

Honolulu, T. H., April 22, 1903.

To the HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Joint Conference Committee, to whom was referred Senate Bill No. 66, to consider the amendment made by the House of Representatives to that Bill report that they have had a conference and have agreed upon a settlement of the differences caused by such amendment. It appears that Section 10 was stricken out of that bill on a misunderstanding, the Act among other amendments sought to amend Section 668 of the Penal Laws, by inserting words that had been omitted originally, either in printing or copying the law, and did not seek to alter the law in any respect whatever.

We recommend that the House of Representatives recede from the amendment so made and pass the bill as transmitted from the Senate.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS,  
FRANK ANDRADE,  
S. KELIINOI,  
CARLOS A. LONG.

Senator Kalaauokalani moved that the report of the committee be adopted. Seconded by Senator Isenberg and carried.

At 11:55 o'clock Senator C. Brown moved to take a recess until 2 o'clock. Seconded by Senator Kalaauokalani and carried.

#### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Third Reading of House Bill No. 145, entitled "An Act to authorize District Magistrates to issue Commissions to take Depositions of witnesses in certain cases."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators C. Brown, Crabbe, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—10.

Noes: None.



Not Present: Senators Achi, Baldwin, J. T. Brown, Dickey and Isenberg—5.

At 2:05 the following message from the Governor was received and read by the Clerk:

#### A MESSAGE

To the Legislature of the Territory of Hawaii.

I have approved the County Bill "providing for the organization and government of Counties and Districts, and the management and control of public works and public institutions therein."

There are however some features of the law which are in my opinion objectionable, and which should, for the sake of the clear understanding of such law by the public and its successful application to the objects intended, and for removing as far as possible all legal complications from the administration of public affairs under its provisions, be removed by amendment.

These objections are as follows:

Section 476 provides that "all property in the hands of any road authorities within the Territory on the fourth day of January, A. D. 1904, shall become the property of the County in which the same is located.

Section 477 provides, referring to the transfer of jail property to Counties, that "all property so transferred shall be the property of the County."

Section 268, division 13, provides that "all fees or costs . . . arising from the sale or lease of property by this or any law of the Territory placed under the control of such County," "shall be payable into the Treasury of the County and used for paying County Expenses."

As the greater part of the property which will be turned over by the Territorial Government to the Counties upon their organization, will be public property which was transferred by the Republic of Hawaii to the United States under the Joint Resolution of Annexation, and by the United States placed in charge of the Government of the Territory, to be cared for and maintained by it for its own use "until otherwise provided by Congress or taken for the uses and purposes of the United States"; (Section 91, Organic Act) the above provisions making such property the property of the Counties to be sold or leased by them, is an attempt to amend Section 91 of the Organic Act, and also Section 73, neither of which can be amended except by Congress.

The provisions referred to are unnecessary for the due administration of County Government, as Section 482 provides that it is "the intention of this Act that in all cases where by this Act, any County Officer or Board is charged with the

performance of any duties heretofore performed by Territorial officials, the use of all property heretofore used by such Territorial officials for the discharge of such duties, shall be transferred to such County officer or Board."

Chapter 69 relating to the transfer of Territorial Water Works to the Counties where such water works are situated, is of doubtful legality, as being inconsistent with Section 91 of the Organic Act above referred to, for the following reason: Although under the provision of the Organic Act (Section 56) authorizing the Legislature to create Counties and town and city municipalities . . . and provide for the government thereof, such public property belonging to the United States but held by the Territorial Government, which is obviously necessary for the internal administration of such subordinate governments, may be turned over to such governments for such purpose, the Legislature has no power to go further, and the Territorial Government may not, under the responsibility imposed upon it by Section 97 and Section 73, surrender such property as is not necessary for the internal administration of such subordinate governments.

It cannot be reasonably argued that the conduct of water works is essential to the administration of County or municipal governments. It is a common status in many cities on the mainland, that the water used by the inhabitants for domestic purposes, is furnished by private companies.

The same reasoning applies to the proposed transfer of the apparatus and equipment used by the Territorial Government in lighting streets and public buildings as provided in Chapter 70.

Section 171 provides that "the duties required by the provisions of Chapter 19 of the Civil Laws of 1897, to be performed by the Commissioner of Boundaries, shall be performed by the County Surveyor of the County in which the lands in question are situate."

Section 172 provides that the fees to be paid such Commissioner of Boundaries shall be paid into the County Treasury.

These Sections attempt to amend Section 73 of the Organic Act, which provides that the laws of Hawaii relating to the settlement of boundaries, except as changed by such Act, "shall continue in force until Congress shall otherwise provide."

Section 384 provides that the Territorial Board of Public Institutions shall provide for the care, maintenance and employment of all inmates confined in any penal "institutions in the Territory."

This provision conflicts with the 22nd division of Section 22, which gives County Boards of Supervisors jurisdiction and power to provide for the working of prisoners confined in County jails under conviction of misdemeanor; and also with

division 6 of Section 90, which provides that the County Sheriff shall "take charge of and keep the County jail and prisoners therein."

Section 483 provides that "immediately after the passage of this Act, it shall be the duty of the Territorial Board of Public Institutions by this Act provided for, to organize in the manner required herein.

As other provisions of the Act refer to the Fourth day of January, 1904, as the time when such Board shall begin to exercise its powers, the provision of Section 483 must contain a mistake as to the time for its organization, which should be January 4th, 1904.

There is some vagueness in the Act as to the status of the Superintendent of Public Works after the installation of County Governments. I would recommend definite legislation making him the executive officer of the Territorial Board of Public Institutions.

In view of the foregoing suggestions, I recommend immediate legislation amending the County Act in accordance therewith.

SANFORD B. DOLE,  
Governor.

Executive Chamber,  
Territory of Hawaii,  
April 22nd, 1903.

Senator Paris moved that the message be referred to the Judiciary Committee to introduce such bill or bills as may be necessary. Seconded by Senator Kalaupokalani and carried.

Under suspension of the rules Senator Dickey reported for the Committee on Miscellaneous Petitions on House Bill No. 85, as follows:

Honolulu, T. H., April 21, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions, to which was referred House Bill 85, referring to procurers, has had the same under consideration.

The bill provides penalties for procuring and also maintaining houses of ill-fame.

Your committee recommends its passage with the following amendments:

Strike out in Section 2, line 8, all after the word "lewdness", also line 9 to and including the word "mitigate."

Add a new Section as follows:

"Section 4. The owner of any premises, the lessee of which maintains thereon a house of ill-fame, shall notify such lessee that his lease will be revoked if he continues such maintenance contrary to law, and if such lessee shall continue to maintain such house of ill-fame such lease shall cease and determine, and the owner may enter and take possession."

3. Make Section "4" read Section 5.

With these amendments your committee recommend the passage of the bill.

C. H. DICKEY, Chairman.  
S. E. KAIUE,  
D. PAUL R. ISENBERG.

Senator McCandless moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Dickey.

Senator Isenberg moved as an amendment that the report of the committee be adopted. Seconded by Senator Woods and carried.

Senator Dickey moved that the bill be read third time tomorrow. Seconded by Senator Isenberg and carried.

Third Reading of House Bill No. 186, entitled "An Act Granting Divorce and Separation from the Bonds of Matrimony to Persons Afflicted with Leprosy."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Baldwin and J. T. Brown—2.

Third Reading of Senate Bill No. 179, entitled "An Act relating to the Treasury Department, amending and repealing certain laws on that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, C. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

Noes: None.

Not Present: Senators Baldwin and J. T. Brown—2.

Senator Achi moved to reconsider the action taken on Senate Bill No. 83. Seconded by Senator Dickey and carried.

Senator Achi moved that the bill be now taken up for consideration. Seconded by Senator McCandless and carried.

Second Reading of Senate Bill No. 83, entitled "An Act making appropriations for salaries and pay rolls for six months from July 1st, 1903, which will end with the Thirty-first day of December, A. D. 1903."

The following amendments were made.

New item of "Queen Liliuokalani, \$2,500.00" inserted

Item of "Mrs. Kaulua, \$100.00" stricken out.

Items under the head of "Office of the Secretary of the Territory" amended to read as follows:

Salary of Chief Clerk .....	\$900 00
Assistant Clerk .....	600 00
Stenographer .....	600 00
Messenger and Janitor .....	300 00

"Salary of Portuguese Interpreter and Translator, \$600" increased to \$750.00

"Salary of District Magistrate, Honolulu, 1st Class" increased to \$1,500.00.

"Salary of Clerk and Interpreter, Honolulu District Court" increased to \$750.00.

"Salary of Second District Magistrate, 2nd Class A" increased to \$750.00.

Salary of Clerk, Second Circuit, increased to \$500.00.

Salary of District Magistrate, E. & W. Kau, 3rd Class, increased to \$550.00.

Salary of Clerk and Interpreter, District Court, S. Hilo, increased to \$450.00.

Salary of Clerk, Fifth Circuit, increased to \$550.00.

Salary of Jailor, Oahu Prison, increased to \$100.00.

Salary of Clerk to Sheriff of Hawaii, increased to \$750.

Salary of Clerk to Sheriff of Kauai, increased to \$600.

Pay of Police of Hawaii, increased to \$18,750.00.

Salary of Deputy Sheriff of Waimea, increased to \$600.

Pay of Police of Oahu, increased to \$48,480.00.

Detectives' Services, \$2,100 amended to read "Detectives' Services, Attorney General's Department, \$2,100."

Salary of Registrar of Public Accounts, increased to \$1,500.

Salary of Book-keeper amended to read "Salary of Book-keeper and Deputy Registrar, \$1,000."

Item of "Legal Assistance in all Courts, \$1,000" stricken out

Salaries of Indexer, Examiner, Copyists, Book Clerk and Janitor, increased to \$4,000.

New Item of Salary of Judge of Land Registration Court, \$1,500 inserted.

Salary of Draughtsman, Transitmen, Chainman, etc. (office of Assistant Superintendent) reduced to \$1,500.00.

Regular Pay Roll Electric Light, increased to \$4,350.

Pay of Light House Keepers, increased to \$2,667.50.

Pay of Market Keeper, Honolulu, increased to \$450.00.

Pay of Assistant Market Keeper, Honolulu, increased to \$240.00.

Pay of Market Keeper, Hilo, increased to \$240.00.

Senator C. Brown for the Judiciary Committee reported on the message of the Governor relating to amendments to the County Bill as follows:

Honolulu, T. H., April 22, 1903.

HON. C. L. CRABBE,

President of the Senate.

Sir:—The Judiciary Committee, to whom was referred the Governor's Message in relation to certain amendments necessary to the County Bill, report that they herewith submit an Act covering the proposed amendments necessary for the Act in question and upon the lines suggested by the message, and which this committee recommends the Senate to pass.

Respectfully submitted,

CECIL BROWN,  
W. C. ACHI,  
PALMER P. WOODS.

Senator C. Brown for the Judiciary Committee introduced a bill entitled "An Act to amend Act 31 of the Session Laws of 1903, being 'An Act providing for the organization and government of Counties and Districts and the Management and Control of Public Works and Public Institutions therein.'"

Senator Dickey moved that the bill pass first reading. Seconded by Senator J. T. Brown and carried.

Senator McCandless moved that the bill be read second time tomorrow. Seconded by Senator J. T. Brown and carried.

At 4 o'clock Senator C. Brown moved to take a recess until 7:30 o'clock. Seconded by Senator McCandless and lost.

Senator J. T. Brown moved to adjourn until 10 o'clock tomorrow. Seconded by Senator Woods and carried.

*William S. Sledge*

Clerk of the Senate.

Approved by the Senate:

*Clarence L. Crabbe*

President of the Senate.

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FIFTY-SIXTH DAY.

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Thursday, April 23rd, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin and Nakapaahu absent.

The Journal of the Fifty-fifth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Nakapaahu, approved as read.

A communication from the Secretary of the Territory notifying the Senate that the Governor had signed Acts 32 and 33 was read by the Clerk, as follows:

Honolulu, H. I., April 23, 1903.

SENATOR C. L. CRABBE,

President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on the 22nd instant:

"Act 32. An Act to amend Chapter LVII of the Laws of 1892, entitled 'An Act to Reorganize the Judiciary Department,' by amending Sections 2, 5, 6, 15, 22, 26, 30 (as amended by Act 19 of the Laws of 1901), 31 (as amended by Act 6 of the Special Session of 1895), 33 (as amended by Act 2 of

the Laws of 1898), 36, 37, 38 (as amended by Act 56 of the Laws of 1898), 49, 53, 56 (as amended by Act 12 of the Laws of 1896), 59, 71, 74 (as amended by Section 2 of Act 40 of the Laws of 1898), 75 and 80, and Repealing Sections 25, 28, 34 and 35 thereof."

"Act 33. An Act to amend Section 2 of Chapter 1 of the Penal Code (Penal Laws, Section 3) Defining Felonies and Misdemeanors."

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

A communication from the House of Representatives returning Senate Bill No. 9, as amended, was read by the Clerk, as follows:

Honolulu, H. T., Apr. 22, 1903.

To the Hon. President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bill No. 9, which passed third reading in the House of Representatives on the 21st inst., with the following amendments:

Amend the title by striking out the words "For the" in line 1 and inserting the words "to provide for the encouragement and." In the same line, after the word "of" insert the word "Agriculture"; in the same line strike out all the words after the word "Horticulture", and insert the words "and Forestry"; also strike out lines 2, 3, 4 and 5 so that the title will read: "An Act to Provide for the Encouragement and Protection of Agriculture, Horticulture and Forestry."

In the enacting clause strike out all the words between the words "the" and "of", and insert in lieu thereof the word "Legislature."

In Section 1, strike out all the words after the figure "1" and insert in lieu thereof the words "whenever in this Act the 'Board' is used it shall refer to and mean the Board of Commissioners of Agriculture and Forestry, by this Act provided for."

In Section 2, strike out all the words after the figure 2, and insert in lieu thereof the words "There shall be a Board of Commissioners of Agriculture and Forestry of five members who shall be appointed by the Governor, by and with the advice and consent of the Senate."



The Superintendent of Public Works of the Territory shall be ex-officio a member of said Board, with the same powers and duties herein prescribed for the other members of said Board, except as otherwise herein provided.

One of said Commissioners shall be appointed to hold office for one year, one for two years, one for three years, one for four years and one for five years from January 1st, 1904.

Upon the expiration of the respective terms of the said commissioners, their respective successors shall be respectively appointed for a term of five years.

Upon any vacancy occurring in said Board, a Commissioner shall be appointed to fill such vacancy for the remainder of the unexpired term."

In Section 3, strike out all the words after the figure 3, and insert in lieu thereof the words "immediately upon their appointment the Commissioners shall elect one of their members President and another Secretary of the Board, The Board shall have power to, from time to time, change its officers. A majority of the members of said Board shall constitute a quorum thereof, with power to transact any business within the powers or jurisdiction of the Board."

In Section 4, strike out all the words after the figure 4, and insert in lieu thereof the words "The members of the Board appointed under this Act, shall serve without pay. The Superintendent of Public Works shall receive no pay for services performed by him under the terms of this Act other than the salary appropriated by the Legislature for his said office of Superintendent of Public Works.

The Board shall be entitled to pay the travelling expenses within the Territory, of its members, when actually engaged in business relating to the work of the Commission, and also all cost of postage, stationery, correspondence, records, printing, and other expenses necessarily or properly incidental to the business of the Board."

In Section 5, strike out all the words after the figure 5, and insert in lieu thereof the words "It shall be the duty of the Board:

(1). Information and Statistics. To gather, compile, tabulate, furnish and publish, from time to time, information and statistics;

(a). Forestry. Concerning the area, location, character, and natural and artificial increase of forests, and the natural, artificial and accidental decrease of the same, in the Territory of Hawaii, and to prepare and publish maps illustrating the same, as far as possible;

And also concerning the best kinds of trees, plants and shrubs to plant in different localities; suggestions for the care and propagation of trees and shrubs both from an economic

and an ornamental standpoint, and other useful information of a similar character, which the Board in its discretion may deem proper.

(b). **Entomology and Plant Pathology.** Concerning insects scales, blights and diseases injurious or liable to become injurious to trees, plants or other vegetation, the ways and means of exterminating such pest and diseases aforesaid as are already in the Territory and preventing the introduction of those not yet here.

(c). **General Agriculture.** Concerning fruits, fibres, and useful or ornamental plants and their introduction, development and care, and concerning the manufacture or exportation of the same with a view to introducing, establishing and fostering new and valuable plants and industries.

(d). **Co-operation with Other Organizations.** The Board shall in all respects endeavor, as far as possible, to encourage, work in harmony and co-operate with, the Federal Agricultural Experiment Station established in this Territory, and with all private persons or organizations doing work of an experimental or educational character, coming within the scope of the subject matters of this Act, and to avoid, as far as practicable, duplicating the work of such person or organization.

(2). **Library.** To secure copies of the laws of other States, Territories and Countries, and other publications germane to the subject matters of this Act, and make the same available for public information and consultation.

(3). **Rules and Regulations.** To make rules and regulations, and to amend the same from time to time in their discretion, subject to the approval of the Governor, for and concerning the introduction, transportation and propagation of trees, shrubs and plants, and the preservation, protection, extension and utilization of forests and forest reserves, both natural and artificial; for the quarantine, inspection, fumigation, disinfection, exclusion or destruction, either upon introduction into this Territory, or at any time or place within the Territory, of any soil, nursery, stock, tree, sugar cane, shrub plant, flower, vine, cutting, graft, scion, bud, seed, root, fruit, pit, fruit, vegetables, leaf, nut, or other vegetable growth or other substances, and any box, barrel, package or packing material or containers in which said articles or any of them have been transported or contained which is or may be infected with or liable to assist in the transmission or dissemination of any insect, blight, scale or disease injurious, or liable to become injurious to trees, plants or other vegetation of value.

Included therein may be rules and regulations governing the shipping between the different islands of this Territory

of any or all of the nursery stock, trees and other articles in this sub-section herein above enumerated.

And also with power to prohibit the importation into the Territory from any or all foreign countries, or other parts of the United States, or the shipment from one island within the Territory to another island therein, of any specific article, or class of articles above enumerated, which are liable to introduce or disseminate or assist in the introduction or dissemination of any insect, blight, scale or disease, injurious or liable to become injurious to trees, plants or other vegetation of value. All rules and regulations made as aforesaid shall have the force and effect of law.

(4). Superintendent of Forestry Department. To appoint a Superintendent of Forestry, who shall have charge, direction and control (subject to the direction and control of the Board) of all matters relating to forestry, mentioned in or coming within the scope of this Act, and of such other matters as the Board may from time to time direct; and who shall be paid such salary as may be appropriated by the Legislature.

Foresters. To appoint and commission in each District of the Territory, one or more foresters, and the same at their pleasure to remove, who shall serve without pay, to assist the Board to carry out the terms and intent of this law.

Said Superintendent of Forestry shall be a trained and educated forester, who has made the subject of Forestry a special study, and if such a man is available, one who has had practical training and experience in connection with forestry in a tropical country.

Assistants and Rangers. To appoint, remove and fix the compensation of assistant foresters and forest rangers, who shall have police powers in and concerning all matters relating to or connected with forests or forest reservations and the enforcement of any of the provisions of this Act, and such other persons as the commission may employ.

(5). Care of Forestry Reservations. To have the care, custody, control and regulation of all lands which may be set apart as forest reservations, under the terms of this Act.

(6). Protection of Forests and Water Supply. To devise ways and means for protecting, extending, increasing, and utilizing the forests and forest reserves, more particularly for protecting and developing the springs, streams and sources of water supply, so as to increase and make such water supply available for use.

(7). Self-Support of Forests. To devise and carry into operation, ways and means by which forests and forest reservations can, with due regard to the main objects herein set forth, be made self-supporting in whole or in part.

(8). Fencing and Exclusion of Stock. To secure as speedily as possible, either by private co-operation or by public appropriation, the erection and maintenance of fences to exclude live stock from forest reservations, and the removal from such reservations of the live stock running thereon, including the killing of same if necessary.

(9). Superintendent of Entomological Department. To appoint a Superintendent of Entomology, who shall have charge, direction and control (subject to the discretion and control of the Board) of all matters relating to the exclusion or eradication of insects, scales, blights, and diseases injurious, or liable to become injurious to trees, plants, or other vegetation of value; and relating to the quarantine, inspection, disinfection, exclusion or destruction of any plant, article or substance injurious, or liable to become injurious to trees, plants or other vegetation of value mentioned in or coming within the scope of this Act, and of such other matters as the Board may from time to time direct; and who shall be paid such salary as may be appropriated by the Legislature.

The said Superintendent of Entomology shall be a trained and educated Entomologist, who has made the subject of Entomology as related to Agriculture a special study; and, if such a man is available, one who has had practical training and experience in connection with entomology in a tropical country.

(10). Assistant Entomologists and Inspectors. To appoint and commission one or more Assistant Entomologists, one of whom shall be selected especially for his fitness to procure from abroad beneficial insects and growths for the eradication of insects, blights, scales and diseases injurious to vegetation of value; and for the destruction of injurious vegetation; and such Inspectors and other employees as may be necessary for the proper carrying into effect of this Act; and the same at their pleasure to remove, and to fix the compensation of said Assistant Entomologists and Inspectors.

(11). Buildings and Apparatus. To provide such buildings, grounds, apparatus and appurtenances as may be necessary or proper for the examination, quarantine, inspection and fumigation provided for by this Act; and for the obtaining, propagation, study and distribution of beneficial insects, growths and antidotes for the eradication of insects, blights, scales or diseases injurious to vegetation of value; and for the destruction of injurious vegetation; and also any other apparatus or appurtenances necessary or proper for the purposes of carrying this Act into execution.

(12). Conflict of Authority. The several Superintendents and other officers appointed under the terms of this Act shall act in harmony and co-operate with each other; but in case

any question involving a conflict of authority shall arise, the Board shall decide the same, and such decision shall be final

(13). Supervision of Expenditures and Records. To supervise and direct all officers and employees authorized by this Act and the expenditure of all moneys appropriated for the purposes set forth in this Act, and of the special fund herein provided for. All receipts, expenditures and proceedings of the Board shall be duly recorded in proper books of record and account, and moneys shall be paid out only on proper vouchers in accordance with law, and upon the counter-signature of the Superintendent of Public Works.

(14). Further Legislation. To formulate and from time to time, recommend to the Governor and Legislature of the Territory such additional legislation as they deem necessary or desirable for the better securing of the objects of this law.

(15). Annual Reports. To make and publish, at the end of each year, a report of the expenditures and proceedings of the Board and of the results achieved by the Board, together with such other matters as are germane to the subject matter of this Act, and which the Board may deem proper."

In Section 6, strike out all the words after the figure 6, and insert in lieu thereof the words "The Governor may, with the approval of a majority of the Board, after hearing or hearings as hereinafter provided, from time to time set apart any government land or lands, not then under lease, or on which there is a lease of two years or less, as forest reservations. Any lands so set apart shall not thereafter be leased or sold by the government, or used in any way or for any purposes inconsistent with this Act, except by law fully enacted by the Legislature."

At the end of Section 6, add 15 new Sections to read as follows:

"Section 7. In all cases (not including roads and city lots), in which it shall be proposed under the provisions of Sections 178 or 255 of the Civil Laws, by any person or official that any public land or any interest therein, shall be disposed of either by way of quit claim, sale, exchange, compromise or equitable settlement, no action shall be taken on such matter until the same shall first have been referred to and approved by the Board, which, on receiving notice of any such proposed action, shall fully consider the same. If the Board shall then disapprove the proposed action it shall notify the Governor accordingly and such proposed action shall not be taken.

"Section 8. Before setting apart any government lands under this Section, the Governor shall give not less than fourteen days' notice, by advertisement in not less than two newspapers published in this Territory, of intention to consider the setting apart of government lands for forestry reservations

under this Act, which notice or notices shall contain the name or names of the Island or Islands and of the District or Districts in which the proposed forest reservation or reservations are located, and shall further appoint a time or times, place or places, for hearing evidence and arguments either for or against the setting apart of said proposed forest reservations under this Act.

"Section 9. At the time and place named for any such hearing or hearings a full hearing shall be given by the Governor and the Board, to all who desire to be heard upon the subject matter of the said notice. The hearing or hearings held in pursuance of said notice or notices shall be public, and shall be conducted under such rules and regulations as the Governor in his discretion may direct. Any such hearing may be continued, postponed or adjourned to such time or times, place or places as the Governor may direct.

"Section 10. Provided, however, that nothing herein contained shall be held to in any way interfere or conflict with any vested rights under or arising out of any grant, grants, lease or leases, license or licenses, of or concerning any government land or water rights, or rights of way, heretofore made.

Nor shall anything herein contained be construed to change any rights in or concerning any water upon or flowing from or through any land set apart or surrendered as a forest reserve, or as depriving or limiting any Territorial officer from exercising any existing power or authority or any power which may hereafter be created to deal with said water or water rights, or rights of way.

"Section 11. Any person or persons, corporation or corporations, may at any time surrender to the Government the care, custody and control of any lands whether held under lease or in fee, as a forestry reservation, either for one or more years, or forever.

No taxes shall be levied or collected upon any private lands so surrendered for the purposes aforesaid, as long as the same shall remain exclusively under the control of the Government as a forestry reservation.

"Section 12. In case any moneys shall accrue from any forestry reserve or the products thereof, the same shall be deposited in the Treasury as a special fund for the preservation, extension and utilization of forests and forest reserves, and the same shall be there held available for use under this Act, subject to withdrawal and use in the same manner as moneys appropriated by the Legislature.

"Section 13. No soil, nursery stock, tree, sugar cane, shrub, plant, flower, vine, cutting, graft, scion, bud, seed, root, fruit, pit, vegetable, leaf, nut or moss shall be imported into the Territory of Hawaii, except in the manner and upon the terms and conditions hereafter set forth, viz:

(1). Labels. A label shall be affixed to the article desired to be imported, or if it is enclosed, to the box, barrel, case, package or other container in which it is enclosed, which label shall set forth:

(a). The name, number or amount and description of the said article or articles;

(b). The locality where the same was produced;

(c). The port from which the same was last shipped;

(d). The name of the shipper of said article or articles;

(e). The name of the consignee of said article or articles;

(2). Request for inspection. In addition to any requirements of the customs authorities concerning invoices or other formalities incident to importations into the Territory, the importer shall file a written statement with the Board, signed by himself or his agent or attorney, which shall set forth his desire to import certain articles into the Territory, which articles shall be described as follows, viz:

(a). The name, number or amount, and description of the said article or articles;

(b). The locality where the same was produced;

(c). The port from which the same was last shipped;

(d). The name of the shipper thereof;

(e). The name of the consignee thereof.

The said statement shall also contain a request that the Board examine, or cause to be examined, the article described as aforesaid, and agreeing to be and become responsible for all costs, charges and expenses incident to the inspection, examination, fumigation, disinfection, quarantine and care of said articles desired to be imported.

(3). Blanks. Suitable blanks shall be furnished by the Board, upon which to make such requests, which blanks may provide for the insertion of other statements and may contain other requirements which the Board in its discretion and under authority herein contained to make rules and regulations, may direct.

(4). Inspection. Immediately upon the receipt of a request for inspection in accordance with the provisions herein above set forth, or so soon thereafter as reasonably practicable, an Inspector of the Board shall inspect the said articles desired to be imported.

(5). Place of inspection. The said inspection may, in the discretion of the said Inspector, be made on the vessel importing the same, on the wharf adjacent thereto or any other convenient place or places which he may indicate; but said article or articles shall in no case be removed from the vessel importing the same except upon a written permit signed by said Inspector.

(6). Unpacking or Removing. If, in the discretion of said Inspector, it is necessary, advisable or proper, in order to more fully inspect the said articles, to unpack the said articles or any of them, or to remove them or any of them to any other place or places, he shall have authority so to do, at the expense of the importer.

(7). Permit to Import. If upon inspection as aforesaid, or at any time thereafter if the said article or articles are held for further examination, the said Inspector shall be satisfied that the articles desired to be imported, or certain of them, are free from insects, blight, scale and diseases injurious, or liable to become injurious to trees, plants or other vegetation of value, he shall give the importer a certificate of inspection, setting forth the date of the inspection or inspections, a description of the articles inspected, and permitting them to be imported into this Territory.

(8). Disinfection or Quarantine. If, in the opinion of said Inspector, it shall be necessary or proper for the better securing of the objects of this Act, to fumigate, disinfect or quarantine said article or articles, or any of them, he shall have authority so to do, at the expense of the importer.

If, in the opinion of said Inspector, it shall be necessary or proper to hold said article for continued observation or treatment in order to be certain that no infection as aforesaid exists therein, or that any infection which exists or may exist therein may be eradicated, said Inspector may so hold said article or articles, in quarantine, for said purpose or purposes.

(9). Destruction of Plants, Etc. If said Inspector shall at any time, either upon said first inspection or at any time thereafter while the said article or articles are being held as aforesaid, find that the same or any of them are infected with or contain any insect, blight, scale or disease injurious, or liable to become injurious to trees, plants or other vegetation of value, he shall in his discretion destroy the same or hold the same for further treatment.

(10). What Constitutes Importation. The landing of any articles as aforesaid, for the purpose of inspection or quarantine, shall not be nor be construed to be, an importation for the purpose of giving to the article or articles so landed any status, or the owner thereof any rights or privileges incident to articles which have been imported into the Territory; but in legal effect the articles so landed for purposes of inspection shall be construed to be still without the Territory, seeking entry into the Territory, and shall not, in whole or in part, be entitled to be imported into this Territory, until a permit so to do, as aforesaid, shall have been issued by the Board or Officer or Inspector thereof.

(11). Exceptions to Right to Import. Nothing in this Act contained shall permit the importation of any article or class



of articles; or any article or class of articles from any particular place; if the same or any of them have, by special rule or regulation of the Board, as herein before provided, been prohibited from importation into this Territory.

(12). Port of Importation of Plants. No nursery stock, soil, tree, sugar cane, shrub, plant, flower, vine, cutting, graft, scion, bud, seed, root, leaf, nut, moss or other vegetable growth (except hay, grain, vegetables and nuts for immediate consumption) shall be imported into the Territory of Hawaii, saving and except through the port of Honolulu only.

Section 14. No soil, sand, or rocks or stone having soil adhering thereto, brought to this Territory as ballast, or separate from the roots of plants, trees or other vegetation, except such as are suitable for, and intended to be used as, or in the manufacture of fertilizer, or for building, mechanical or monumental purposes, shall be allowed to be landed in this Territory. If any vessel comes to this Territory with soil, sand, rocks or stones having soil adhering thereto on board as ballast or in bulk, and it is desired to remove the same, it shall, except as aforesaid, be dumped at sea.

No soil or sand brought to this Territory in connection with or around the roots of plants, trees or other vegetation, or rocks or stones with soil or sand adhering to them, shall be allowed to be imported into this Territory until the same shall have been removed to a suitable place for inspection and quarantine, and there held for such length of time as in the discretion of the Board or its Officers or Agents shall be necessary to prove that it is not infected with insects, blight, scale or diseases injurious to trees, plants or other vegetation of value.

Section 15. The Board shall, with the approval of the Governor, adopt a reasonable scale of charges which may be charged from time to time, for the inspection, disinfection, fumigation and quarantine, authorized, required or permitted by this Act. Certificates and permits herein provided for concerning articles imported or proposed to be imported into this Territory, and the charges so provided for, shall be paid for in advance before any certificate or permit is delivered, or any of said articles are permitted to be landed. If thereafter further expense is incurred in the inspection, treatment or quarantine of any of said articles, the charges therefor shall be paid before any of said articles shall be delivered.

Section 16. Any person violating any of the provisions of this Act, and any Master of any vessel which shall bring into this Territory any article which the Board shall at any time prohibit from being imported into this Territory; and the Master of any vessel from which shall be landed any article in this Act required to be inspected, until he shall have received a permit to land the said articles, from the Board or

its Officer or Inspector, as herein provided, shall be guilty of a misdemeanor, and shall be punished by fine not to exceed \$500, or imprisonment not to exceed thirty days, or both fine and imprisonment as aforesaid, in the discretion of the Court.

Section 17. Any person who shall feel aggrieved at any decision of any Inspector of the Board shall have the right to appeal from such decision to the Board. The Board shall give a prompt hearing to the appellant and the Inspector, upon such appeal, and decide the question at issue, which decision shall be final.

Section 18. All persons authorized to be employed by the Board and all expenditures authorized to be made by the Board, except salaries and expenditures specially fixed by the Legislature, shall be paid out of the general appropriation for Agriculture and Forestry.

Section 19. The Board shall, so far as reasonably practicable, assist, free of cost, to individuals, in the eradication of insects, blights, scale, and diseases injurious to vegetation of value; and shall in like manner, distribute to points where needed, insects, growths and other antidotes for the eradication of insects, blights, scales and diseases injurious to vegetation or value, and for the eradication of vegetation of a noxious character.

Section 20. For the purpose of consolidating the power and authority relating to kindred matters, the powers and duties vested in the Commissioner of Agriculture and Forestry, are hereby transferred to and vested in the Superintendent of Public Works, who shall be the executive officer of the Board, subject to the superintendence and control of the Board.

The Board shall also have superintendence and control of the execution and enforcement of all other existing statutes relating to Agriculture and Forestry, and of all other matters which may hereafter be placed within their jurisdiction by the Legislature.

Section 21. This Act shall take effect on the date of its approval."

Very respectfully,

S. MEHEULA,

Clerk, House of Representatives.

Senator Isenberg moved that the Senate concur in the amendments made by the House of Representatives. Seconded by Senator C. Brown and carried.

A communication from the House of Representatives transmitting House Bills Nos. 182, 90, 11 and 21 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 22, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith the following House Bills, which have passed their respective third readings in the House of Representatives, Territory of Hawaii, this 22nd day of April, 1903.

House Bill No. 182, entitled "An Act to provide for the Prompt and Efficient transmission of Messages by means of wireless telegraph between the Islands of Kauai, Oahu, Maui and Hawaii; and to encourage and assist the Inter-Island Telegraph Company, Ltd., in constructing and maintaining such a system of wireless telegraphy;"

House Bill No. 90, entitled "An Act to reorganize the Board of Health of the Territory of Hawaii, and to repeal Act 60 of 1896, also Chapter 72 of the Laws of 1892, and all laws and regulations inconsistent herewith;"

House Bill No. 11, entitled "An Act to create, establish and locate an agricultural college and model farm, providing for the management thereof, and appropriating money for its maintenance and development;"

House Bill 21, entitled "An Act to authorize and provide for the manufacture, maintenance, distribution and supply of electric light and power on the Island of Oahu, Territory of Hawaii."

SOLOMON MEHEULA,  
Clerk.

Senator Achi moved that the bills be read first time by title. Seconded by Senator J. T. Brown and carried.

First Reading of Senate Bill No. 182, entitled "An Act to provide for the prompt and efficient transmission of messages by means of wireless telegraph between the Islands of Kauai, Oahu, Maui and Hawaii, and to encourage and assist the Inter-Island Telegraph Company, Ltd."

Senator McCandless moved that the bill pass first reading. Seconded by Senator Isenberg and carried.

Senator C. Brown moved that the bill be read second time tomorrow. Seconded by Senator J. T. Brown and carried.

First Reading of House Bill No. 21, entitled "An Act to authorize and provide for the manufacture, maintenance and distribution and supply of Electric Light and Power in the Island of Oahu, Territory of Hawaii."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator C. Brown and carried.

Senator Kalauokalani moved that the bill be read second time tomorrow. Seconded by Senator C. Brown and carried.

First Reading of House Bill No. 11, entitled "An Act to create, establish and locate an Agricultural College and Model Farm, providing for the management thereof and appropriating money for its management and development."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator McCandless and carried.

Senator Kalauokalani moved that the bill be read second time tomorrow. Seconded by Senator McCandless and carried.

First Reading of House Bill No. 90, entitled "An Act to reorganize the Board of Health of the Territory of Hawaii, and to repeal Act 60 of 1896, also Chapter 72 of the Session Laws of 1892, and all laws and regulations inconsistent herewith."

Senator J. T. Brown moved that the bill pass first reading. Seconded by Senator Dickey and carried.

Senator McCandless moved that the bill be read second time tomorrow. Seconded by Senator J. T. Brown and carried.

Senator C. Brown for the Judiciary Committee reported on the amendments made by the House of Representatives to Senate Bill No. 32, as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—The Judiciary Committee, to whom was referred Senate Bill No. 32, as amended by the House of Representatives, report that they have had the amendments made under consideration.

The amendments are, to Section 1, making one of the members of the Commission to be a native Hawaiian-American.

The amendment to Section 2 changes the phraseology without altering the meaning, and is an improvement.

The amendment to Section 13 is an increase of the pay to be received by the Commissioners to be appointed, and places it at \$6,000.00 instead of \$4,500.00, as passed by the Senate.

There was some question raised as to whether the amendment to Section 1 was class legislation. We do not believe so.

We recommend that the Senate concur to the amendments made by the House of Representatives.

Honolulu, April 23rd, 1903.

Respectfully submitted,

CECIL BROWN,  
PALMER P. WOODS,  
W. C. ACHI.

Senator J. T. Brown moved that the report of the committee be adopted. Seconded by Senator Paris and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on House Bill No. 72, as follows:

Senate Chamber,  
Honolulu, T. H., April 23, 1903.

HON CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Public Lands, Internal Improvements, Agriculture, etc., having had under consideration House Bill No. 72, begs leave to report upon the same. We are in thorough accord with the sentiment of this bill, which provides that only citizens of the Territory may be employed upon public works within the Territory, and recommend that it do pass, amended as follows:

Add a new Section, to be numbered Section 5, and to read:

"Section 5. In case the official whose duty it is to employ such labor as mentioned in this Act, fails, after every reasonable effort to secure the citizen labor specified, he may, for the time being, employ such labor other than citizen labor as may be necessary to prosecute needed public work and without becoming subject to any of the prohibitions or penalties of this Act."

Renumber Section 6, Section 7.

We believe that the bill should be thus amended to avoid most serious delay and inconvenience with public labor at times and places where it might be practically impossible to secure the said citizen labor.

All of which is respectfully submitted,

L. L. McCANDLESS,  
J. D. PARIS,  
J. B. KAOHI,  
Committee.

Senator Achi moved that the report be referred back to the committee. Seconded by Senator Isenberg and carried.

Senator Paris for the Special Committee, to which was referred Joint Resolution relating to the Fish Market at Waiakea, reported as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Special Committee, to which was referred Joint Resolution in regard to the Fish Market at Waiakea, Hilo, begs leave to report.

Your Committee have interviewed the President of the Board of Health, and he has informed your committee that the Board of Health has just made new regulations by which no extra charge can be made for the inspection of fish either at Waiakea or Hilo.

As this extra charge for inspection is the cause of complaint your committee consider that the object of the resolutions has been attained.

We would, therefore, recommend that the resolutions be laid on the table.

J. D. PARIS,  
PALMER P. WOODS,  
JOHN T. BROWN,  
J. B. KAOHI.

Senator Achi moved that the report of the committee be adopted. Seconded by Senator C. Brown and carried.

Senator C. Brown for the Printing Committee reported Senate Bill No. 192 translated and distributed.

Senator C. Brown moved that the bill be now taken up for consideration. Seconded by Senator Kalaauokalani and carried.

Second Reading of Senate Bill No. 192, entitled "An Act to amend Act 31 of the Session Laws of 1903, being 'An Act providing for the organization and government of Counties and Districts, and the management and control of Public Works and Public Institutions therein.'"

The President here called the Vice-President to the Chair.

Senator Crabbe moved to strike out Section 4. Seconded by Senator Isenberg.

Senator Achi moved as an amendment to strike out Sections 4 and 5. Senator Crabbe accepted the amendment, which carried.

Senator Crabbe moved to strike out Section 8. Seconded by Senator J. T. Brown.

Senator Achi moved as an amendment to insert the words "Superintendent of Public Works" in line 2. Seconded by Senator C. Brown.

The motion to strike out the Section was then put and carried.

At 12 o'clock Senator Kalaauokalani moved to take a recess until 2 o'clock. Seconded by Senator C. Brown and carried.

## AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Second Reading of Senate Bill No. 192, continued.

The President here called the Vice-President to the Chair.

Senator Crabbe moved to strike out Section 9. Seconded by Senator C. Brown and carried.

Senator C. Brown moved to insert a new Section, as follows:

"Section 8. Amend Chapter 34, Section 270, sub-division 3 by inserting after the word "clerks" and the words "stenographers and interpreters", and after the word "jurors" the words "such salaries and fees shall be fixed and paid at the sums and amounts last paid by the Territorial Government for such services prior to the first day of January, 1904." Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Dickey and carried.

Senator Crabbe moved to reconsider the action taken on Senate Bill No. 192. Seconded by Senator Isenberg and carried.

Senator C. Brown moved that the bill pass second reading. Seconded by Senator Crabbe and carried.

Senator Crabbe moved that the bill be read third time tomorrow. Seconded by Senator Dickey and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on Senate Bill No. 45, as follows:

Honolulu, T. H., April 23, 1903.

HON. CLARENCE L. CRABBE,

President of the Senate

Sir:—Your Committee to which Senate Bill 45 has been referred a second time sees no reason for changing its opinion on the matter.

As the introducer of the bill, upon the adoption of the former report by the Senate, moved to lay the bill on the table, which motion was carried, your committee recommends that the bill be returned to the table there to repose until it shall be the desire of the Senate to take it therefrom.

C. H. DICKEY, Chairman.

D. PAUL R. ISENBERG,

S. E. KAIUE.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator Isenberg and lost.

Senator Achi moved that the report of the committee be rejected. Seconded by Senator Woods and carried.

Senator Achi moved that the committee be ordered to place the bill before the Senate. Seconded by Senator Crabbe and lost on a vote of 6 to 6, the Chair voting against the motion.

Senator Achi moved that the Senate do not accept the bill from the committee. Seconded by Senator C. Brown and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., made a verbal report on House Bill No. 72, reporting the bill to be identically the same as Senate Bill No. 18 now in the hands of the Governor, and recommended that the bill be laid on the table.

Senator C. Brown moved that the report of the committee be adopted. Seconded by Senator McCandless and carried.

A communication from the House of Representatives notifying the Senate of the adoption of the reports of the Joint Conference Committees on Senate Bills Nos. 66 and 79 was read by the Clerk, as follows:

Honolulu, H. T., April 22nd, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to notify your Honorable Body that this House has this day adopted the reports of the Conference Committee on Senate Bills 66 and 79.

Yours respectfully,

SOLOMON MEHEULA,

Clerk.

Second Reading of Senate Bill No. 83, entitled "An Act making appropriations for salaries and pay rolls for Six Months from July 1st, A. D. 1903, which will end the Thirty-first day of December, A. D. 1903," continued.

The following amendments were made:

Item of "Queen Liliuokalani" increased to \$3,750.00.

New item of "Territorial Statistician, \$900.00" inserted.

New item of "Expense in establishing Bureau, \$750," inserted.

Salary of Superintendent of Wailuku and Kahului Water Works increased to \$450.00.

Salary of Superintendent of Hilo Water Works increased to \$600.



Regular Pay Roll, Honolulu Fire Department, increased to \$31,410.00.

New item of "Pay Roll, Wailuku Fire Department, \$800" inserted.

Salary of 4 Pilots increased to \$6,600.

New item of "Salary of Pilot, Hilo, without fees, \$1,200" inserted.

New item of "Salary of Pilot, Kahului, without fees, \$1,200" inserted.

"Salary of Executive Officer, \$1,500" amended to read, "Salary of President and Executive Officer (to devote all his time), \$1,800."

New item of salary of Chief Health Officer, \$1,500" inserted.

Salary of Secretary increased to \$1,200.

Salary of Registrar General increased to \$900.

Milk and Poi Inspector, Honolulu, increased to \$600.

Item of "Government Physicians, \$10,140" stricken out and item of "Board of Health Agents, all Districts, \$5,000" inserted.

Superintendent and Assistants, Insane Asylum, increased to \$8,340.

Headquarters' Clerk and Acting Quartermaster, increased to \$750.

Senator Isenberg presented a report of the Special Committee appointed to investigate the Band, as follows:

Honolulu, H. T., April 23rd, 1903.

HONORABLE CLARENCE CRABBE,

President of the Senate.

Sir:—Your Special Committee, to whom was referred the resolution introduced by Senator Isenberg in regard to the Band, beg leave to report as follows:

They have looked carefully into the matter and find that there is a great deal of dissatisfaction existing amongst the members of the Band; that when the band boys are actually sick not only is their salary deducted but they are fined. The Band Master declares that no boy need be sick, which idea the committee thinks is ridiculous. When any of the band boys are actually sick, if only sick for a few days, we think that they should receive their full salary, and if they are sick say twenty days or more, half of their salary.

We also recommend that whenever the boys play steamers off that they only play half an hour, especially island steamers

as passengers very seldom get there before half an hour of the sailing of the steamer; and we, therefore, recommend the passing of the following Joint Resolution, which we attach to this report.

We further recommend that the amount of \$1,800 be put in the salary appropriation, to be called an "Emergency Fund" to allow the Band Master whenever it is necessary, in his discretion, to employ extra help, to pay this extra help out of this appropriation.

Yours very respectfully,

D. PAUL R. ISENBERG,  
D. KALAUOKALANI,  
C. H. DICKEY.

Senator Dickey moved that the report be adopted as to salaries. Seconded by Senator McCandless and carried.

Senator Isenberg offered a Joint Resolution relating to the Band as follows:

#### JOINT RESOLUTION.

Be it Resolved, the Senate and House of Representatives concurring, that the band boys playing in the Territorial Band whenever sick, and can produce a certificate from a physician of good standing, shall not have their salaries deducted and be punished besides, as has been the practice heretofore;

Be it further resolved, that if any of the boys are sick up to twenty days they shall receive their full salary, after twenty days, half pay, and

Be it further resolved that whenever the Band plays at Inter-Island steamers it shall not play for more than half an hour.

D. PAUL R. ISENBERG,  
Senator 3rd District.

"Salary of 30 Bandsmen, \$7,710," passed as "Salary of 27 Bandsmen, \$6,689."

New item of "Emergency Fund for Band, \$450," inserted. Senator C. Brown moved to insert a new Section as follows:

"Section 5. It is hereby provided that the unexpended balance of all items appropriated in this Act, which are affected by the transfer of any public work or institution, to the Territorial Board of Public Institutions; as organized in Chapter 64 of 'An Act providing for the organization and government of Counties and Districts, and the management and control of Public Works and Public Institutions therein', shall be trans-

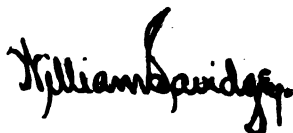
ferred to the control of the said Territorial Board of Public Institutions on the fourth day of January, A. D. 1904." Seconded by Senator Woods and carried.

Senator Isenberg moved that the bill pass second reading as amended. Seconded by Senator C. Brown and carried.

Senator C. Brown moved that the bill be made the special order of the day for tomorrow. Seconded by Senator Isenberg and carried.

Senator Crabbe moved that the Joint Resolution offered by Senator Isenberg be adopted. Seconded by Senator J. T. Brown and carried.

At 3:55 o'clock Senator Isenberg moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator Woods and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

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## FIFTY-SEVENTH DAY.

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Friday, April 24th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called, showing Senators Kaiue and Paris absent.

The Journal of the Fifty-sixth Day was read and, upon motion of Senator Kaohi, seconded by Senator J. T. Brown, approved as read.

A communication from the House of Representatives transmitting House Bill No. 60 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 23rd, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill No. 60, entitled "An Act to extend School Street from Liliha Street to Kamehameha IV. Road, in the District of Honolulu, Island of Oahu, and to make appropriation for said extension," which has passed its Third Reading in the House of Representatives, Territory of Hawaii, this 23rd day of April, 1903.

Respectfully submitted,

SOLOMON MEHEULA,  
Clerk.

Senator Kalaauokalani moved that the bill be read first time by title. Seconded by Senator McCandless and carried.

First Reading of House Bill No. 60, entitled "An Act to extend School Street from Liliha Street to Kamehameha IV Road, in the District of Honolulu, Island of Oahu, and to make appropriation for said extension."

Senator Kalaauokalani moved that the bill pass first reading. Seconded by Senator McCandless and carried.

Senator Kalaauokalani moved that the bill be read second time tomorrow. Seconded by Senator McCandless and carried.

A communication from the House of Representatives transmitting House Bills Nos. 106, 179 and 184 was read by the Clerk, as follows:

House of Representatives,  
Honolulu, T. H., April 23, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith the following House Bills which have passed their respective Third Readings in the House of Representatives, Territory of Hawaii, this 23rd day of April, 1903, namely:

House Bill No. 106, entitled "An Act to appropriate money for the extension of Pauahi Street in the City of Honolulu;"

House Bill No. 179, entitled "An Act to create a Public Park at Hilo;"

House Bill No. 184, entitled "An Act to convert Land at Ponahawai, Hilo, Island of Hawaii, into free public recreation grounds, and to maintain the same as such under the supervision of the Superintendent of Public Works."

Respectfully submitted,

SOLOMON MEHEULA,  
Clerk.

Senator J. T. Brown moved that the bills be read first time by title. Seconded by Senator Kalauokalani and carried.

First Reading of House Bill No. 106, entitled "An Act to appropriate money for the extension of Pauahi Street, in the City of Honolulu."

Senator McCandless moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

Senator McCandless moved that the bill be read second time tomorrow. Seconded by Senator J. T. Brown and carried.

First Reading of House Bill No. 179, entitled "An Act to create a Public Park at Hilo."

Senator McCandless moved that the bill pass first reading. Seconded by Senator J. T. Brown and carried.

Senator J. T. Brown moved that the bill be read second time tomorrow. Seconded by Senator McCandless and carried.

First Reading of House Bill No. 184, entitled "An Act to convert land at Ponahawai, Hilo, Island of Hawaii, into free public recreation grounds, and to maintain the same as such under the supervision of the Superintendent of Public Works."

Senator Isenberg moved that the bill pass first reading. Seconded by Senator McCandless and carried.

Senator McCandless moved that the bill be read second time tomorrow. Seconded by Senator J. T. Brown and carried.

Three petitions from residents of the other islands praying the Legislature of the Territory of Hawaii to grant a subsidy to the Inter-Island Telegraph Company were read by the Clerk.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., recommended that Senate Bill No. 185 be laid on the table as a similar bill had been killed in the House and the committee had not acted on the bill.

Senator Kalauokalani moved that the bill be laid on the table. Seconded by Senator C. Brown.

Senator Baldwin moved that the committee be allowed until this afternoon to make a report on the bill. Seconded by Senator Dickey and carried.

Senator Isenberg moved that the rules be suspended so as to allow a motion to be made to reconsider the action taken on House Bill No. 191. Seconded by Senator Dickey and carried.

Senator Isenberg moved that the bill be reconsidered. Seconded by Senator McCandless and carried.

Senator Isenberg moved that House Bill No. 191 be taken from the table and placed in the order of the day. Seconded by Senator McCandless and carried.

Senator C. Brown moved that Senate Bill No. 192 be now taken up for consideration. Seconded by Senator Dickey and carried.

Third Reading of Senate Bill No. 192, entitled "An Act to amend Act 31 of the Session Laws of 1903, being 'An Act providing for the organization and government of Counties and Districts and the management and control of Public Works and Public Institutions therein'."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

Senator Isenberg moved that House Bill No. 21 be taken up for consideration. Seconded by Senator Woods and carried.

Second Reading of House Bill No. 21, entitled "An Act to authorize and provide for the manufacture, maintenance, distribution and supply of Electric Light and Power in the Island of Oahu, Territory of Hawaii."

Senator Achi moved to amend Section 8 by adding after line 6 the words: "The Company shall not be compelled to place its wires and apparatus underground unless the same shall be required of all persons, firms or corporations having or exercising in whole or in part the privileges, powers or franchises of a public nature conferred by this Act." Seconded by Senator Woods and lost.

Senator C. Brown moved that the bill pass second reading. Seconded by Senator Kalaauokalani and carried.

Senator Isenberg moved that the bill be read third time tomorrow. Seconded by Senator Kalaauokalani and carried.

Third Reading of Senate Bill No. 83, entitled "An Act making appropriations for salaries and pay rolls for Six Months from July 1, A. D. 1903, which will end the Thirty-first day of December, A. D. 1903."

Senator Isenberg moved that the item "Board of Health Agents, all Districts, \$5,000" be stricken out and the item "Government Physicians, \$10,140" inserted as in the original bill. Seconded by Senator C. Brown and carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—15.

Noes: None.

At 12:05 o'clock Senator C. Brown moved to take a recess until 2 o'clock. Seconded by Senator Baldwin and carried.

#### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

A message from the Governor vetoing a bill entitled "An Act to provide for the acquisition by the Territory of Hawaii, of the Kaaikahi and Kahuawai Springs of Pauoa Valley and the waters thereof, and for a reservoir site for the storage of same", was read by the Clerk, as follows:

Executive Chamber,  
Territory of Hawaii,  
Honolulu, April 24th, 1903.

To the Legislature of the Territory of Hawaii:

I am unable to approve of a bill entitled "An Act to provide for the acquisition by the Territory of Hawaii, of the Kaaikahi and Kahuawai Springs of Pauoa Valley and the waters thereof, and for a reservoir site for the storage of same" received from the Legislature on April 16th, and return the same herewith, without my signature.

My objections to this bill are as follows:

The reports submitted to the Legislature in connection with the consideration of the subject of this bill are for the most part reports obtained by private parties interested in its enactment. No reports from Government officials were obtained, except that of Mr. Shorey, the government chemist, and those of Mr. Cooper, the Superintendent of Public Works and Mr. Brown, Superintendent of the Honolulu Water Works, —the two latter being in response to a resolution of the

Senate passed on the last day of March. Mr. Cooper's report favors the construction of a new large reservoir in Nuuanu Valley, and Mr. Brown's is opposed to the enactment of the Bill in question.

It is clear to any one reading all of the reports, who is at all acquainted with the situation in Pauoa, that the information furnished the Legislature upon this subject is most incomplete.

The definite evidence as to the amount of water flowing from the Springs in question is based upon measurements made near the middle of the rainy season. The result of this one measurement is of little value upon the question of the average amount of water flowing from such springs, or of the average amount flowing during the summer months, when the supply of water is likely to fall off. To furnish reliable information on this point, several measurements should be taken through the driest part of the year.

No information has been furnished as to the number of leases of the water, the length of the unexpired terms thereof, nor of the rents paid therefor. No information has been received in regard to the danger of contamination of the springs in question from dwellings located above them or from probable future occupation of the slopes above the upper springs by residences. Mr. Shorey's report recognizes the necessity of "proper protection" of these springs from contamination. Mr. Keen disposes of the question of contamination by the remark, "I found that this water has its source in a number of springs far up the valley, above all possibility of pollution."

As a matter of fact the lower springs are surrounded by dwellings, some of them close above them with adjacent cesspools and stables.

Under these circumstances, it is evident that the water from these lower springs is likely to be polluted at any time and therefore cannot be considered as a source of a drinking water supply.

As to the upper springs, the slopes above them are most inviting for sites of residences, and are likely to be so occupied at any time unless they should be segregated by the Government. As a part of these slopes are owned by private parties the cost of buying out such private interests, a necessary preliminary measure to the use of the water of such springs for drinking purposes, might and probably would amount to a large sum. At present the amount of such cost is an absolutely unknown quantity.

Mr. Brown says that in his estimation it will take \$250,000 to develop the springs, build reservoirs and furnish pipe. Add to this the cost of acquiring the land necessary to be segregated for the protection of the upper springs and we have a total outlay in prospect that is appalling, in view of



the small amount of water delivered by the upper springs in the middle of the rainy season, i. e., 859,920 gallons in 24 hours.

But this is not all; the bill so far as it can be understood, provides only for the purchase of the interests of the owners of the water in question by the outlay of \$150,000, leaving the Government to extinguish the interests of lessees as best it may,—another unknown quantity, which may, so far as the Legislature is informed, require another large sum, or under the provisions of the bill, require the Government to furnish the lessees the water to which they are entitled until their leases expire, which would, for a while at least, leave no water for the Government when it is most needed,—that is, in the summer months.

No appropriation is made by the bill for acquiring such lessee water rights by buying them out, and no provision for the expense of ascertaining who are the real owners in distinction from the lessees, of the water rights in question. To reach safe conclusions in this matter would require, first, an investigation into the titles of the lands having water rights and whether or not such lands are subject to mortgage, and whether or not any of them are owned by infant proprietors; second, investigation of the actual water rights belonging to such lands respectively,—no easy matter, as it appears by one of the exhibits before the Legislature, that the water interests of Pauoa uka (upper Pauoa) were adjusted by a representative of the Interior Department twenty-five years ago. Does upper Pauoa cover all the water rights in question? How many of the owners of water rights in 1878, have sold them or have lost them by non user, or through adverse use by others? Who are the heirs or devisees of such owners in 1878 who have since died?

It will be seen from these suggestions, that the matter of acquiring the water in question would probably be a most complicated and expensive one, that might well require an authorized commission and a considerable appropriation to assure its satisfactory accomplishment.

The scheme impresses me as a measure vigorously pressed by private parties for their own interests, upon which the Legislature has acted without sufficient information to enable it to protect the public interests, with the result that private interests have been advanced at the expense of the public.

It is a bill, under one construction, providing for the purchase of water without requiring the grantors to deliver the goods,—that is, a purchase of property encumbered to an unknown extent, leaving the Government to perfect the title and obtain possession as best it may. The provision of Section 4 that the warrants for the purchase of the water from the owners thereof shall be a first charge on the Treasury after the pay-

ment of current expenses, is against public policy as denoting bad faith toward bond holders, and tending to injure the credit of the Territory.

The bill is carelessly drafted and contains conflicting sentences which would tend to defeat its execution if it should become law.

Sections 1 and 2 require the Superintendent of Public Works to acquire the whole of the waters of springs and streams that furnish water to owners of water rights in Pauoa Valley, "of the owners thereof," which cannot be done, unless the owners extinguish the lessees' rights and are able to deliver possession; and cannot be done under other provisions of the bill particularly Section 3, which very evidently implies that the Government is not to acquire "the whole" of the said waters from the owners thereof, but only their interests, subject to the rights of lessees.

Section 3 introduces another element of confusion in providing that the water that may be furnished any tenant having water rights in lieu of condemnation of such rights, may be charged "against the owners of said land at regular Government water rates for the unexpired terms of their outstanding leases." This provision requires the owners after having received the \$150,000 to protect their tenants' rights at their own expense.

These conflicting features of the bill raise a strong doubt whether it would be a workable measure if it should become law.

The attorney of those pressing for this enactment urges that under the words of the first Section, "the Superintendent of Public Works is hereby authorized and directed to purchase or otherwise acquire for the water works department of Honolulu, the whole of Kaalkahi and Kahuawai Springs of Pauoa Valley, etc." the Superintendent has discretion either to purchase or to acquire by condemnation the owners' rights in such water. But there is nothing else in the bill that supports this contention. On the contrary, he is definitely required by Section one "to pay the several owners thereof, each a pro rata portion of the sum of money hereinafter appropriated, according to their several rights of user of the water of said springs and their interests in said lands." This precludes all discretion on the part of the Superintendent of Public Works, of taking proceedings for the condemnation of such water and adjusting the payments therefor to the awards obtained under such proceedings.

SANFORD B. DOLE,

Governor.

Senator Baldwin moved that action on the veto be postponed until Monday, the 27th. Seconded by Senator C. Brown and carried.

Senator McCandless offered a Joint Resolution requesting Congress to appropriate money for improving the harbors of Honolulu and Hilo, as follows:

JOINT RESOLUTION.

Be it Resolved by the Legislature of the Territory of Hawaii:

That, Whereas, the Harbors of Honolulu and Hilo, are the two principal harbors of the Territory of Hawaii, and the commerce of Hawaii, both local and in connection with through lines between the United States and Asia and Australia is rapidly increasing, and is being carried on in ships of much greater size than heretofore; and

Whereas, the depth of water on the Honolulu Harbor Bar and within the Harbor is only approximately 30 feet, and steamers drawing 30 feet are now running to Honolulu and others are about to be regularly placed in the Honolulu trade which draw 34 feet of water; and

Whereas, the Port of Hilo, Island of Hawaii, requires a break-water to make it a safe harbor in case of a northerly storm; and

Whereas, the deepening of said harbor of Honolulu and the building of said break-water at Hilo are undertakings too costly for the Territorial Treasury;

Resolved that the Legislature of the Territory of Hawaii do and it hereby does request the Congress of the United States to appropriate and expend such money as may be necessary to deepen the harbor of Honolulu to such a depth that it will accommodate all vessels arriving there, and to build a break-water at said Hilo, thereby rendering it a safe harbor at all times.

L. L. McCANDLESS,  
Senator 3rd District.

Senator J. T. Brown moved that the resolution be adopted. Seconded by Senator Paris and carried.

Under suspension of the rules Senator Dickey for the Committee on Miscellaneous Petitions reported on House Bill No. 16, as follows:

Honolulu, T. H., April 24, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee, to which was referred House Bill 16, begs leave to report.

Former experiments in the direction of educating the youth of Hawaii abroad have not always proved satisfactory, but this

should not prevent further efforts if there is reasonable hope of benefit to the Territory.

Your committee recommend the following amendments:

Section 2, line 1. After the word "or" insert the words "guardian of any such."

Section 3. Strike out all of the Section to and including the word "Act" in line 3, and insert the words "In all cases." In line 4 strike out the word "then." Add at close of Section the words "The Secretary may reject any application for sufficient cause."

Section 4, line 14. Insert after the word "exceed" the words "in any one case."

Section 5. Strike out the word "some."

Section 6, line 1. Strike out all after the word "money"; also line 2 and line 3 to and including the word "expenses."

With these amendments your committee recommends the passage of the bill.

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG,  
S. E. KAIUE.

Senator Achi moved that the report of the committee be laid on the table to be considered with the bill. Seconded by Senator Dickey and carried.

A communication from the House of Representatives transmitting House Bill No. 167 was read by the Clerk, as follows:

Honolulu, H. T., April 24th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill No. 167, entitled "An Act to appropriate money for the purpose of supplying fire hydrants in the streets of Wailuku and Kahului, Maui, and for purchasing hose, hose carts and other equipments for volunteer fire Company in the said town of Wailuku," which has this day passed its 3rd reading in the House of Representatives, Territory of Hawaii.

Respectfully submitted,

S. MEHEULA,  
Clerk.

Senator Dickey moved that the bill be read first time by title. Seconded by Senator Woods and carried.

First Reading of House Bill No. 167, entitled "An Act to appropriate money for the purpose of supplying fire hydrants in the streets of Wailuku and Kahului, Maui, and for purchasing hose, hose carts and other equipments for volunteer fire Company in the said town of Wailuku."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Woods and carried.

A communication from the House of Representatives transmitting House Bill No. 153 and Senate Bills Nos. 121 and 29 was read by the Clerk, as follows:

Honolulu, H. T., April 24, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill No. 153, entitled "An Act relating to evidence, amending and repealing certain laws on that subject;"

Senate Bill No. 121, entitled "An Act to provide for the publication of One Volume of the Reports of the Decisions of the United States District Court for the Territory of Hawaii;"

Senate Bill No. 29, entitled "An Act to Provide for Public Loans,"

which have passed their respective Third Readings in the House of Representatives this 24th day of April, A. D. 1903.

SOLOMON MEHEULA,  
Clerk.

First Reading of House Bill No. 153, entitled "An Act relating to evidence, amending and repealing certain laws on that subject."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Woods and carried.

A communication from the Secretary of the Territory notifying the Senate that the Governor had signed Acts 34, 35, 36 and 37 was read by the Clerk, as follows:

Honolulu, H. I., April 24th, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on the 23rd instant:

"Act 34. An Act to Appropriate Money for the Breakwater and the Wharf at Kalaupapa, Molokai."

"Act 35. An Act to Encourage Diversified Industries."

"Act 36. An Act to Designate Two Pay-Days in a Month for the Government Employees and Officials of the Territory of Hawaii."

"Act 37. An Act to Regulate the Employment of Labor on the Public Works of this Territory."

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

Senator Achi moved that House Bill No. 64 be now taken up for consideration. Seconded by Senator Kalauokalani and carried.

Third Reading of House Bill No. 64, entitled "An Act creating the City and County of Honolulu and providing for the Government thereof."

The following amendments were made:

Section 4. The words "ale, beer and porter houses and shops" stricken out of sub-division 5 and the words "houses and shops for the sale of intoxicating liquors or opium" inserted.

At 3:10 o'clock Senator Isenberg moved to take a recess until 7:30 o'clock out of respect to the memory of the late W. W. Diamond. Seconded by Senator J. T. Brown and carried.

## EVENING SESSION.

The Senate re-convened at 7:30 o'clock.

Under suspension of the rules Senator Dickey moved that Senate Bill No. 191 be read second time by title. Seconded by Senator McCandless and carried.

Second Reading of Senate Bill No. 191, entitled "An Act appropriating salaries and pay rolls of employees of the Territory for the eighteen months beginning January 1st, 1904, and ending June 30th, 1905."

Senator Dickey moved that the bill pass second reading. Seconded by Senator McCandless and carried.

Senator J. T. Brown moved that House Bill No. 182 be read second time by title. Seconded by Senator Nakapaahu and carried.

Second Reading of House Bill No. 182, entitled "An Act to provide for the prompt and efficient transmission of messages by means of wireless telegraph between the Islands of Kauai, Oahu, Maui and Hawaii, and to encourage the Inter-Island Telegraph Company."

Senator Achi moved that the bill pass second reading. Seconded by Senator J. T. Brown and carried.

Senator J. T. Brown moved that the bill be read third time tomorrow. Seconded by Senator Nakapaahu and carried.

Senator Achi moved that House Bill No. 79 be now considered. Seconded by Senator J. T. Brown and carried.

Second Reading of House Bill No. 79, entitled "An Act amending Sections 1, 3, 4, 8, 12 and 16 and repealing Section 13 of Chapter 50 of the Session Laws of 1890, being An Act entitled 'An Act to Facilitate the collection of debts from Government beneficiaries.'"

Senator Achi moved that the bill pass second reading. Seconded by Senator C. Brown and carried.

Senator Nakapaahu moved that the bill be read third time tomorrow. Seconded by Senator Achi and carried.

Second Reading of House Bill No. 11, entitled "An Act to create, establish and locate an Agricultural College and Model Farm, providing for the management thereof and appropriating money for its management and development."

Senator Achi moved that the bill pass second reading. Seconded by Senator J. T. Brown and carried.

Second Reading of House Bill No. 90, entitled "An Act to reorganize the Board of Health of the Territory of Hawaii, and to repeal Act 60 of 1896, also Chapter 72 of the Session Laws of 1892 and all laws and regulations inconsistent herewith."

Senator Achi moved that the bill pass second reading. Seconded by Senator J. T. Brown and carried.

First Reading of House Bill No. 191, entitled "An Act to provide for the care, custody, control and payment of One Hundred Fifty-five Thousand, Five Hundred Forty-six and 70-100 Dollars (\$155,546.70) being the money now in the possession of the Treasurer of the Territory and designated or known as the 'Chinese Fund'."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 190, entitled "An Act to provide for the encouragement and protection of Agriculture, Horticulture and Forestry."

Senator C. Brown moved that the bill be laid on the table. Seconded by Senator Dickey and carried.

Third Reading of Senate Bill No. 160, entitled "An Act to provide for the safeguarding of Electrical Installation."

Senator C. Brown moved that the bill be laid on the table. Seconded by Senator Dickey and lost.

Senator Achi moved that the bill be deferred until tomorrow. Seconded by Senator Kalauokalani and carried.

Third Reading of Senate Bill No. 176, entitled "An Act relating to Taxation, Educational and Judicial Districts, amending and consolidating certain laws upon that subject."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless and Nakapahu—11.

Noes: None.

Not Present: Senators Isenberg, Paris, Wilcox and Woods

—4.

Third Reading of Senate Bill No. 189, entitled "An Act to provide for the filing of suits in Forma Pauperis."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless and Nakapahu—11.

Noes: None.

Not Present: Senators Isenberg, Paris, Wilcox and Woods

—4.

Third Reading of Senate Bill No. 166, entitled "An Act to regulate the practice of Pharmacy and the selling, compounding and dispensing of Drugs, Chemicals and Poisons in the Territory of Hawaii."

Senator McCandless moved to amend Section 14 by adding at the end of the Section the words "but nothing in this Section shall prevent any licensed merchant from selling proprietary remedies." Seconded by Senator Dickey and carried.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kaohi, McCandless and Nakapahu—10.

Noes: Senator Kalauokalani—1.

Not Present: Senators Isenberg, Paris, Wilcox and Woods

—4.

Senator Achi moved that Senate Bills Nos. 18 and 51 be laid on the table. Seconded by Senator McCandless and carried.

Third Reading of House Bill No. 64, continued.



Section 4. The words "to include the Kaaikahi and Kahawai Springs" inserted in line 1 of sub-division 15 after the word "water."

A new sub-division inserted as follows: "28. To make all such ordinances, by-laws, rules, regulations, resolutions, not inconsistent with the laws of the Territory as may be expedient, in addition to the special powers in this Section granted, maintaining the peace, good government and welfare of the city and its trade, commerce and manufactures."

The word "Public" stricken out of subdivision second and the words "belonging to the municipality" added at the end of the line.

The words "as limited by this Act" added at the end of subdivision fourth.

Sub-division fifth stricken out.

Section 6 stricken out.

Section 19. The words "sell or" stricken out of line 1.

Section 20. The words "sale or" stricken out of line 1 and the words "sold or" stricken out of line 11.

Section 21. The words "sale or" stricken out of line 6.

Section 22. The words "sale or" stricken out of line 1.

Section 24. The words "provided, however, that nothing herein contained shall interfere with the rights of corporations or individuals vested before the incorporation of the said City and County" added at the end of the Section.

Section 29. The word "construct" inserted in place of the word "contract" in line 3.

Section 32. The words "including Territorial taxes" inserted after the word "taxes" in line 1.

Section 35. The words "in the same manner and at the same time, and under the same laws, rules and regulations provided for the assessment of Territorial taxes" stricken out of lines 5, 6 and 7 and the words "as may be provided by ordinance" substituted.

Section 36. The words "at the time and in the same manner and under the same laws, rules and regulations as are now, or may be hereafter prescribed for the collection of Territorial taxes, and he" stricken out of lines 2, 3, 4 and 5 and the words "as may be provided by ordinance; and for the purpose of compelling the payment of taxes said corporation shall have the power to enforce the same by the distress and sale of the personal property of the person assessed except such as is exempt from taxation, and in such case the tax list shall be sufficient for such distress and every tax levied by said corpora-

tion and due upon personal property is hereby made a lien upon the real property of the owners thereof, and every tax levied and due upon real property is hereby made a lien upon the property assessed from and after the date of the levy of such tax, and the assessor is empowered to sell land upon which there may be a lien for taxes, and convey the same to the purchaser in manner as may be provided by ordinance, and said corporation may by ordinances provide for attaching a penalty of 10 per centum to all delinquent taxes; and said auditor" added at the end of the Section.

Section 37. Strike out all after the word "reports" in line 4 except the word "made" and add the words "as may be provided by law."

Section 38. The word "and" stricken out of line 15 and the word "or" inserted.

Section 43. The word "shall" inserted in place of the word "must" in lines 5, 6, 7, 13 and 14.

Section 47. The word "or" inserted in place of the word "and" at the end of line 8.

Section 49. The words "or by law" inserted in line 3 after the word "Act."

Section 51. The words "commissioner of health" stricken out of line 4.

Section 52. The words "commissioner of health" stricken out of line 20.

Section 53. The word "duties" stricken out of line 3.

Section 55. The word "engross" stricken out and the word "record" inserted in line 10.

Section 60. The word "duties" stricken out of line 3.

Section 62. The word "duties" stricken out of line 3.

Section 67. The word "duties" stricken out of line 3.

Section 67. The word "election" stricken out of line 3 and the word "appointment" inserted.

Section 68. Stricken out.

Section 69. The word "election" stricken out of line 4 and the word "appointment" inserted.

Section 70. The word "election" stricken out and the word "appointment" inserted.

Section 73. The word "except" inserted in line 14 after the word "election."

Section 75. The word "appointment" inserted in place of the word "election" in line 3.

Section 76. The words "one year before and" inserted in line 7 after the word "therein."

Section 77. The word "election" stricken out of line 3 and the word "appointment" inserted, and the words "not already provided for by law" inserted after the word "parks" in line 14.

Section 80. Lines 15 and 16 stricken out, and the words "four hundred" inserted after the word "thousand" in line 18; and the word "eight" substituted for the word "six" in line 26.

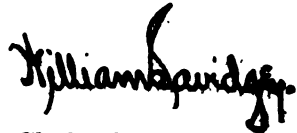
Section 85. The words "The use of" inserted at the beginning of the Section; the words "be used by said City and County as its" inserted in place of the words "become its sole and separate" in lines 4 and 5; and the words "and all property under the control of the Board of Public Institutions" inserted after the words "Judiciary Building" in line 6. All the balance of the Section stricken out.

Section 85. The words "excepting the first elections under this Act" inserted at the end of the Section.

Section 86. The word "and" inserted in place of the word "the" and the words "of a" stricken out of line 2.

Section 91. The words "twenty-five" inserted in place of the word "ten" in line 10 and the words "of the County within which such withdrawal or death has taken place" stricken out of lines 17, 18 and 19.

At 10:20 o'clock Senator J. T. Brown moved to adjourn until 10 o'clock tomorrow morning. Seconded by Senator C. Brown and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

## FIFTY-EIGHTH DAY.

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Saturday, April 25th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi, Baldwin, C. Brown, Dickey, Isenberg and Woods absent.

During the reading of the Journal of the Fifty-seventh Day Senator C. Brown moved that the rules be suspended so as to allow making a motion. Seconded by Senator J. T. Brown and carried.

Senator C. Brown moved that House Bill No. 144 be taken off the table and placed in the order of business. Seconded by Senator J. T. Brown and carried.

The Clerk proceeded with the reading of the Journal, upon completion of which, Senator Nakapaahu moved that the same be approved as read. Seconded by Senator Kalauokalani and carried.

A communication from the House of Representatives transmitting House Bills Nos. 183, 188 and 111 was read by the Clerk, as follows:

Honolulu, H. T., April 24, 1903.

To the Hon. President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bills 183, 188 and 111, which have passed their respective Third Readings in the House of Representatives, Territory of Hawaii, this 24th day of April, A. D. 1903.

Respectfully,

S. MEHEULA,

Clerk.

Senator Kalauokalani moved that the bills be read first time by title. Seconded by Senator J. T. Brown and carried.

First Reading of House Bill No. 183, entitled "An Act to provide for the support of the families of deceased persons out of the estates of such deceased persons, and to set apart

property exempt from execution for the use of the families of such deceased persons, and to apportion the property so set apart."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

First Reading of House Bill No. 188, entitled "An Act to provide against embezzlement by Public Officers."

Senator Dickey moved that the bill pass first reading. Seconded by Senator Kalauokalani and carried.

First Reading of House Bill No. 111, entitled "An Act to prohibit all aliens from fishing in the waters of the Territory of Hawaii."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator J. T. Brown and carried.

A communication from the House of Representatives transmitting House Bill No. 170 was read by the Clerk, as follows:

Honolulu, H. T., April 24th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill No. 170, entitled "An Act to regulate the practice of Pharmacy and the selling, compounding and dispensing of drugs, chemicals and poisons in the Territory of Hawaii," which has this day passed its third reading in the House of Representatives, Territory of Hawaii.

Respectfully transmitted,

SOLOMON MEHEULA,  
Clerk.

Senator Kalauokalani moved that the bill be read first time by title. Seconded by Senator J. T. Brown and carried.

First Reading of House Bill No. 170, entitled "An Act to regulate the practice of Pharmacy and the selling, compounding and dispensing of drugs, chemicals and poisons in the Territory of Hawaii."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator Baldwin and carried.

A communication from the House of Representatives transmitting House Bills Nos. 119, 25, 171, 176 and 66 was read by the Clerk, as follows:

Honolulu, H. T., April 24th, 1903.

To the Hon. Pres. and  
Members of the Senate,  
T. of H.

I have the honor to transmit herewith House Bills Nos. 119, 25, 171, 176 and 66, which have this day passed their respective 3rd readings in this House.

Respectfully submitted,

S. MEHEULA,  
Clerk.

Senator Kalauokalani moved that the bills be read first time by title. Seconded by Senator Dickey and carried.

First Reading of House Bill No. 119, entitled "An Act to establish and maintain School Libraries."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator McCandless and carried.

First Reading of House Bill No. 25, entitled "An Act to permit any person to treat Leprosy without license."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator J. T. Brown and carried.

First Reading of House Bill No. 171, entitled "An Act amending Section 3 of Act 21 of the Acts of the Provisional Government (Penal Laws, 1897, Section 389)."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator Dickey and carried.

First Reading of House Bill No. 176, entitled "An Act to provide for the Issuance of Licenses and the Collecting of fees for the same."

Senator C. Brown moved that the bill pass first reading. Seconded by Senator Dickey and carried.

First Reading of House Bill No. 66, entitled "An Act to provide for the payment of claims of damages by persons imprisoned in the year 1895."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator J. T. Brown and carried.

Senator C. Brown moved to take up House Bill No. 21 for consideration. Seconded by Senator McCandless and carried.

Third Reading of House Bill No. 21, entitled "An Act to authorize and provide for the manufacture, maintenance, distribution and supply of Electric Light and Power on the Island of Oahu, Territory of Hawaii."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kalaauokalani, Kaiue, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Isenberg—1.

Senator Paris for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported on Senate Bill No. 185, as follows:

HON. C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee to which was referred Senate Bill 185, beg leave to report.

Your committee recommend in Section 1, line 5, after the word "of" insert "the island of Oahu," and strike out the balance of the Section, and make the same changes all through the bill.

This confines the franchise to the island of Oahu.

Your Committee feel that the service rendered by the existing Company has been for a long time unsatisfactory to the general public, and that it is time another Company had a chance in the field.

J. D. PARIS,  
J. B. KAOHI.

Senator McCandless for the same committee reported on the same bill, as follows:

Senate Chamber,  
Honolulu, T. H., April 23, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Public Lands, Internal Improvements, Agriculture, etc., to which was referred Senate Bill No. 185, begs leave to report back the same with the recommendation that it be laid on the table. A duplicate of this Act has been abandoned or put aside in the House and your committee does not believe that there is probability of consideration of such an Act in the other branch of the Legislature at this session. This Act is for a very broad and liberal and sweeping franchise covering for the proposed telephone Company the whole of the Territory, though we are given to understand that the right to establish a business in Honolulu

is the prime object sought. Even if this is the fact we cannot endorse what is so palpably a "blanket" franchise, the Act legislating for Counties and Cities yet to be created. Further, the question of whether or not it would be in the public interest for Honolulu to have a second telephone system is a grave one that should be carefully considered in all its aspects. The streets are at present dangerously burdened with poles and wires and another set of the same would increase the peril to life and limb from crossed wires, falling wires, etc., besides rendering all thoroughfares more unsightly and crowded. Your committee will state in conclusion that the present telephone Company of Honolulu has made a satisfactory showing that it is taking earnest measures for the repair and improvement of its plant. Lines are being rebuilt, new cables are being placed and further cable to replace defective cable is now on the way from the mainland. The present Company pledges itself that it will soon again have its system in first class condition in every respect.

Respectfully submitted,

L. L. McCANDLESS,

J. B. KAOHI.

Committee.

Senator C. Brown moved that the reports be laid on the table to be considered with the bill. Seconded by Senator Dickey and carried.

Senator Paris offered a concurrent Resolution relating to the Coffee Industry, as follows:

SENATE CONCURRENT RESOLUTION NO. —.

Be it Resolved by the Senate and House of Representatives of the Legislature of the Territory of Hawaii:

Whereas, the Coffee Industry of this Territory is now in a depressed condition and many of the plantations are threatened to be abandoned on account of the continued low price of the product and the large quantities of coffee imported into the United States from Mexico and from Central and South America countries free of duty, and

Whereas, there are within this Territory large areas of land suitable to the cultivation of coffee and there are large areas of coffee lands in the Philippine Islands and Porto Rico, new possessions of the United States, and

Whereas, large amounts of American capital are now invested in this industry in the Territory of Hawaii and in the new possessions of the United States, providing employment to many citizens unable to compete with the Peon labor of South and Central America, and



Whereas, it is meet and proper that this industry and the citizens engaged in it should be encouraged and protected for the benefit of the Territory of Hawaii and the whole of the United States and its possessions, and

Whereas, a distinguished commission of the Honorable Senate of the United States which lately visited the Territory of Hawaii and secured full information upon all conditions within Hawaii and reported the same to the Senate of the United States, recommended that a bounty of four cents per pound be paid out of the Treasury of the United States to the producers of coffee within this Territory for each pound produced, Therefore be it

Resolved, that we respectfully petition the Congress of the United States to impose a duty on all coffee imported from foreign countries into the United States, or in lieu thereof to provide a suitable bounty to be paid to the producers of coffee within the United States, to the end that a great internal agricultural industry may be created and the nation further become self-supporting.

Resolved, that the Governor of the Territory is hereby requested to transmit certified copies of this resolution to the President of the United States, to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States and to the Delegate of the Territory of Hawaii with the request that the resolution be properly placed before the Congress of the United States.

J. D. PARIS,  
Senator 1st District.

Senator Kalauokalani moved that the resolution be adopted. Seconded by Senator J. T. Brown and carried.

Third Reading of House Bill No. 64, entitled "An Act creating the City and County of Honolulu and providing for the government thereof," continued.

The following amendments were made:

Section 98. The word "in" inserted in line 1 in place of the word "or."

Section 113. The words "by law as set forth" inserted in line 3 after the word "for."

Section 114. The word "were" inserted in line 9 after the word "chapter."

Section 116. The words "the first" inserted after the words "of electing" in line 1.

Section 137. The words "except as herein otherwise provided; Provided, however, that Territorial taxes within the County and City of Honolulu shall be levied by the officers of said County and City in the same manner as is provided

by said law, and where no other rate is directed by the Territorial Board of Equalization before the date in each year when the tax ought to be levied and assessed such tax for Territorial revenue shall not exceed five mills on the dollar" added at the end of the Section.

At 11:40 o'clock the Chair announced a recess of five minutes.

At 11:50 o'clock the Senate re-convened.

Section 139 in the bill stricken out and a new Section inserted as follows: "Section 137. This Act shall not take effect nor be in force until a majority of the qualified voters of the Island of Oahu who registered for the General Election of 1902 shall have decided at an election to be held on July 21st, 1903, that they approve of the incorporation of the City and County of Honolulu as provided by this Act.

The regulations and rules provided by law for carrying on the election of Representatives shall be followed in giving notice of and carrying on the election on July 21st, 1903, as far as the same are applicable, and the present voting places shall be used.

The ballot to be used at such election shall be in form as follows:

For incorporation of the City and County of Honolulu.

Against incorporation of City and County of Honolulu.

and shall be marked in the same manner as is now required by law.

Such election shall be called by the Governor in the manner provided by law for the calling of elections of Delegate and members of the Legislature, except that only 30 days' notice need be given thereof and all persons registered as voters for the General election of 1902 shall be entitled to vote thereat."

The first five lines of Section 4 stricken out and the following inserted: "Section 4. The Legislative power of said City and County is vested in and shall be exercised by a Council composed of twelve members, each of whom shall be an elector of the corporation at the time of his election, and shall have been a citizen of the Territory for at least five years next preceding such time. The members of the Council shall be elected as follows:

Four to be elected at large from the 1st, 2nd, 3rd, 4th, and 5th Ward: (which compose the Fourth District): Four to be elected at large from the other Wards, (which compose the Fifth District): Four to be elected at large in the Island of Oahu, and they by ordinances shall have the following general and special powers, to wit:"

The words "wharves, landings and docks" stricken out of line 4 of sub-division 18 of Section 4.

A new sub-division added at the end of Section 4, as follows: "28. To make all such ordinances, by-laws, rules, regulations, resolutions, not inconsistent with the laws of the Territory as may be expedient, in addition to the special powers in this Section granted, maintaining the peace, good government and welfare of the City and its trade, commerce and manufacture."

The words "as the case may be" stricken out of line 12 of Section 19.

A message from the Governor vetoing a bill entitled "An Act to amend Section 1, Chapter 26, of the Session Laws of 1892" was read by the Clerk, as follows:

Executive Chamber,  
Honolulu, April 25th, 1903.

To the Legislature of the Territory of Hawaii:

I am unable to approve of a bill entitled "An Act to amend Section 1, Chapter 26, of the Session Laws of 1892, relating to Lights" received from the Legislature on April 15th, and return the same herewith, without my signature.

My objections to this Bill are as follows:

The title of the Bill is as follows: "An Act to amend Section 1, Chapter 26, of the Session Laws of 1892 relating to Lights." Chapter 26 of the Session Laws of 1892 is "An Act to amend Chapter 19 of the Civil Code, relating to the time of commencing personal actions."

Chapter 28 of the Session Laws of 1892 is "An Act to require bicycles and similar vehicles to carry lights," which is probably the law which the Legislature intended to amend by the Bill under consideration.

The first paragraph of Section one of the said Bill is as follows:

"Section 1. Section 1, Chapter 26, of the Session Laws of 1892 be, and the same is hereby amended so as to read as follows: then follows the proposed amendment beginning with the word and figure "Section 1," which ostensibly amends both Sections 1 and 2 of the said Chapter 28 of the Session Laws of 1892.

The Bill as drafted would be impracticable and ineffective as a law.

SANFORD B. DOLE,  
Governor.

Senator Baldwin moved that consideration of the veto of the Governor be deferred until Monday. Seconded by Senator C. Brown and carried.

At 12:15 o'clock Senator Baldwin moved to take a recess until 2 o'clock. Seconded by Senator C. Brown and carried.

### AFTERNOON SESSION.

The Senate re-convened at 2 o'clock.

Senator McCandless moved that House Bill No. 64 be deferred until 2:30 o'clock. Seconded by Senator Dickey and carried.

Senator C. Brown for the Judiciary Committee returned to the Senate, Senate Bill No. 153 and Resolution introduced by Senator Woods relating to the claims of political prisoners against the Republic of Hawaii.

Senator Paris moved that House Bill No. 182 be now taken up for consideration.

A number of petitions, messages and communications praying for the passage of the bill were read by the Clerk.

Third Reading of House Bill No. 182, entitled "An Act to provide for the prompt and efficient transmission of messages by means of wireless telegraph between the Islands of Kauai, Oahu, Maui and Hawaii and to encourage and assist the Inter-Island Telegraph Company."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, J. T. Brown, Crabbe, Dickey, Kaiue, McCandless, Nakapaahu, Paris and Wilcox—10.

Noes: Senators C. Brown, Kalauokalani and Woods—3.

Not Present: Senators Isenberg and Kaohi—2.

Third Reading of Senate Bill No. 191, entitled "An Act appropriating salaries and pay of employees of the Territory for eighteen months beginning January 1st, 1904, and ending June 30, 1905."

The following amendments were made:

Permanent Settlements:

Item of "Mrs. Kaulua, \$400.00" stricken out.

Bureau of Conveyances:

New item of "Judge of Land Registration Court, \$4,500.00" inserted.

Department of Public Works:

Item of "Pay roll Waiakamilo Camp, \$2,520.00" inserted.

Public Grounds:

"Salary of Keeper of Mausoleum and Grounds" increased to \$750.00.

**Pilots' Office:**

"Salary of 4 Pilots" increased to \$19,800.00.

New item of "Salary of Pilot, Hilo, without fees, \$3,600" inserted.

New item of "Salary of Pilot, Kahului, without fees, \$3,600" inserted.

**Board of Health:**

Item of "Salary of Executive Officer, \$4,500" passed as "Salary of President of the Board of Health and Executive Officer, \$5,400."

New item of "Salary of Chief Health Officer, \$4,500" inserted.

"Salary of Secretary" passed at \$3,600.

"Milk and Poi Inspector, Honolulu," increased to \$1,800.

"Fish Inspector, Honolulu," increased to \$1,440.

Item of "Government Physicians" passed at \$30,420.

Item of "Superintendent and Assistants, Insane Asylum," passed at \$25,660.

**Band:**

"Salary of 30. Bandsmen, \$30,840," passed as "Salary of 27 Bandsmen, \$20,067."

New item of "Emergency Fund for Band, \$1,350," inserted.

A new Section inserted as follows: "Section 2. It is hereby provided that the unexpired balances of all items appropriated in this Act which are affected by the transfer of any public work or institution to the Territorial Board of Public Institutions, as organized in Chapter 64 of 'An Act providing for the Organization and Government of Counties and Districts, and the Management and Control of Public Works and Public Institutions therein,' shall be transferred to the control of the said Territorial Board of Public Institutions on the 4th day of January, A. D. 1904."

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators C. Brown, J. T. Brown, Crabbe, Dickey, Ka'ine, Kalauokalani, Nakapaahu, Paris, Wilcox and Woods—10.

Noes: Senators Achi and McCandless—2.

Not Present: Senators Baldwin, Isenberg and Ka'ohi—3.

Senator Woods offered the following Joint Resolution asking Congress for an appropriation for harbors and light houses:

## JOINT RESOLUTION.

Whereas, An Act of the Fifty Sixth Congress of the United States of America, approved April 30, 1900, provided for the Government of the Territory of Hawaii, to take effect June 14, 1900; and

Whereas, by that Act the Federal Government has received the entire revenue from the Customs and tariffs collected at this port, paid largely by the people of this Territory; and

Whereas, no appropriation has yet been made by any Congress for the improvement of our harbors, nor for the care and maintenance of the light houses, which protect equally the commerce of all nations and safe-guard the lives of all those who cross the Pacific by this route; and

Whereas, since the 14th day of June, 1900, notwithstanding the depleted revenues, our people have expended to date for light houses the sum of Sixteen Thousand, Nine Hundred Ninety-two and 65-100 (\$16,992.65) Dollars; and

Whereas, during the same period the interests of our commerce have absolutely required the expenditure of Seventy-two Thousand, Four Hundred Sixty-one and 46-100 (\$72,461.46) Dollars for the improvement of harbors;

Now, Therefore, be it Resolved by the Legislature of the Territory of Hawaii, in second regular session assembled, that the Fifty-eighth Congress be requested, in the name of the people of this Territory and in the interests of the great and growing commerce of the Pacific, to maintain the light houses already built by the people of these islands, and to provide such new and modern lights as are by it deemed wise;

And, further, that in whatever appropriation is made by Congress, a sum be provided to reimburse the Territory for all of its expenditures for these purposes.

And be it Further Resolved, that certified copies of this Resolution be sent by the Governor of the Territory to the President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, and to the Delegate of the Territory of Hawaii to Congress.

PALMER P. WOODS,

Senator 1st District.

Senator Nakapaahu moved that the Joint Resolution be adopted. Seconded by Senator J. T. Brown and carried.

At 3:30 o'clock a message from the Governor relating to a bill entitled "An Act providing for the drawing, summoning and empanelling of grand and trial jurors" was received and read by the Clerk, as follows:

## A MESSAGE

to the Legislature of the Territory of Hawaii.

I have approved the bill entitled "An Act providing for the drawing, summoning and empanelling of grand and trial jurors."

There are, however, features of the bill which, in my opinion, are against public policy. I refer to the provisions for the selection of jury lists and drawing of juries. These in brief, place the appointment of the two Jury Commissioners for each Circuit in the discretion of the Circuit Judges or Judge for such Circuit. The duty of such Commissioners is to make a list of eligible persons in each Circuit who in their judgment are suitable for jury duty. A clerk of the Circuit Court at the direction and in the presence of the Circuit Judge is to draw from a box containing the names of such persons on separate slips of paper, the names of fifty persons which are to be deposited in another box to be called the Grand Jury Box, and the names of fifty persons which are to be deposited in a third box to be called the "Trial Jury Box." From these two boxes the clerk is to draw, at the direction and in the presence of the Judge, names of persons to serve as members of the Grand Jury and of the Trial Jury panel respectively.

It will be seen from this programme that in the other Circuits than the First, the whole matter of selecting the lists of persons to be called upon for jury duty, the matter of drawing the jury lists and finally the members of the Grand and trial juries, may be largely controlled by the Circuit Judge, should he wish to do so. That is, he appoints the clerk of his Court, he selects the Jury Commissioners, and he superintends the drawing of the jury lists and of the members of the Grand and trial juries, with no one present but the clerk,—his own appointee.

It is against public policy for such an opportunity to exist, as an unprincipled judge, should any of the outer Circuits ever be so unfortunate as to be under the jurisdiction of such an officer, would have thereby an opportunity to corrupt the administration of justice to the serious prejudice of the public.

I recommend that the provisions referred to be amended so that the Jury Commissioners shall be appointed by a majority of the Justices of the Supreme Court, and that in all drawings of jury lists and Grand and trial juries, the Sheriff of the County or other executive officer shall be required to be present.

SANFORD B. DOLE,

Governor.

Executive Chamber,  
Territory of Hawaii,  
April 25th, 1903.

At 3:40 o'clock Senator J. T. Brown moved to adjourn.  
Seconded by Senator C. Brown and carried.

*William S. S. S.*

Clerk of the Senate.

Approved by the Senate:

*Clarence L. Crabbe*

President of the Senate.

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FIFTY-NINTH DAY.

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Monday, April 27th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Achi and Dickey absent.

The Journal of the Fifty-Eighth Day was read and, upon motion of Senator Kalauokalani, seconded by Senator Naka-paahu, approved as read.

A message from the Governor vetoing a Bill entitled "An Act to grant certain powers to representatives of estates of deceased persons, to provide for a public administrator and for distribution on final settlement" was read by the Clerk, as follows:

Executive Chamber,  
Territory of Hawaii,  
Honolulu, April 27th, 1903.

To the Legislature of the Territory of Hawaii:

I am unable to approve of a Bill entitled "An Act to grant certain powers to representatives of estates of deceased persons, to provide for a Public Administrator and for distribution on final settlement," received from the Legislature on April 15th, at 2:45 o'clock p. m., and return the same herewith, without my signature.



My objections to the Bill are as follows:

Section 12 provides that Public Administrators shall take charge of the estates of persons dying in his District, in the following cases: estates for which no administrators are appointed and which in consequence "are being wasted, uncared for or lost"; "estates of decedents who have no known heirs"; "estates ordered into his hands by the Court"; and estates upon which letters of administration have been issued by him by the Court."

The two latter provisions give the Court undue power to take possession of estates and pass them into the hands of the Public Administrator, whether it is for the interest of the heirs to have such proceedings taken and the consequence expense incurred or not; and when it is considered that the Clerk of the Circuit Court,—the appointee of the Circuit Judge, is to be ex-officio the Public Administrator, and that he is not required to give any further bond than his official bond as clerk, except when real estate is to be sold, the danger of these provisions and the opportunity they afford to corrupt officials, may be in some measure understood.

In some parts of the mainland the powers given to public administrators by the laws afford them opportunities to fleece the estates in their charge, which are made the most of. Under cover of ostensible legal charges for commissions and fees, estates are robbed to an extent that has caused the services of public administrators to be regarded as a calamity to be avoided, rather than a benefit.

Under the present law the persons having the right to administer the estate of deceased persons are as follows, with priority in the order named; husband of a deceased wife; wife of a deceased husband; children of age; brothers and sisters; cousins germain; bona fide creditors. The Judge may disregard this order for good reasons.

This reasonable and just law would be to this extent changed by the Bill in question. A corrupt Judge under this Bill could in any case of a person dying in his County, whether testate or intestate, order his clerk to take immediate possession and issue letters to him as Public Administrator upon some reason easy to put forth, or for no reason at all. And then when letters testamentary or of administration should be regularly issued to the proper Executor or Administrator, a few weeks later, an ostensible basis would have been laid upon which such Public Administrator could make his charges for commissions and other fees, to be passed upon by the Judge, and the whole proceeding would have a very respectable appearance.

No laws with such easy opportunities for legal corruption, should be allowed on the statute books. Women and chil-

dren who are especially helpless in times of bereavement, should be protected from all possibility of financial injury by such loop-holes in the statutes.

The Bill is illegal in that it embraces two subjects, to-wit: 1st. The grant of certain powers to representatives of estates of deceased persons; 2nd. Provision for the creation of a Public Administrator, and both subjects are set forth in the title. (Section 45, Organic Act.)

SANFORD B. DOLE,  
Governor.

Senator J. T. Brown moved that consideration be deferred until this afternoon. Seconded by Senator C. Brown and carried.

A communication from the Secretary of the Territory, notifying the Senate that the Governor had signed Act 38, was read by the Clerk, as follows:

Territory of Hawaii,  
Office of the Secretary,  
Honolulu, H. I., April 25, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Act on the 25th inst.:

Act 38, entitled "An Act Providing for the Drawing, Summoning and Empaneling of Grand and Trial Jurors."

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

A communication from the Secretary of the Territory, notifying the Senate that the Governor had signed Acts 39, 40, 41, 42, 43, 44, 45, 46 and 47, was read by the Clerk as follows:

Territory of Hawaii,  
Office of the Secretary,  
Honolulu, H. I., April 27, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on April 25th:

Act 39, entitled "An Act Relating to Criminal Practice and Procedure, Amending Chapter XL of the Laws of 1876, entitled 'An Act to Regulate the Practice and Procedure in

Criminal Cases,' by Amending Sections 1, 2, 3, 5, 15, 38, 48, 54, 65, 68 and 73 and Repealing Sections 4, 9 and 26 Thereof, and Adding Two New Sections thereto; and Repealing Section 4 of Chapter II, Section 1 of Chapter XLVIII, and Section 5 of Chapter XLVI of the Penal Code, Act 38 of the Laws of the Provisional Government, and Section 10 of an Act of July 21, 1866";

Act 40, entitled "An Act to Regulate the Practice of Dental Surgery in the Territory of Hawaii";

Act 41, entitled "An Act to Amend Section 1 of Chapter 37 of the Penal Code as Amended by Act 36 of the Session Laws of 1896";

Act 42, entitled "An Act to Provide for Public Loans."

Act 43, entitled "An Act to Authorize H. M. von Holt, His Associates, Successors and Assigns to Construct, Maintain and Operate a Railroad in Certain Districts on the Island of Kauai, in the Territory of Hawaii";

Act 44, entitled "An Act to Provide for the Encouragement and Protection of Agriculture, Horticulture and Forestry";

Act 45, entitled "An Act to Authorize the Appointment of a Commission to Compile the Statute Laws of the Territory of Hawaii";

Act 46, entitled "An Act to Authorize District Magistrates to issue Commissions to take Depositions of Witnesses in Certain Cases";

Act 47, entitled "An Act to Provide for the Publication of One Volume of the Reports of the Decisions of the United States District Court for the Territory of Hawaii."

Very respectfully yours,

G. R. CARTER,  
Secretary of the Territory.

A communication from the House of Representatives transmitting House Bill No. 187 was read by the Clerk, as follows:

Honolulu, H. T., April 25, 1903.

To the Honorable President and Members  
of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bill No. 187 entitled "An Act to Regulate Fiduciary Companies," which has this day passed its third reading in the House of Representatives, Territory of Hawaii.

Respectfully submitted,  
S. MEHEULA,  
Clerk.

Senator Kalauokalani moved that the bill be read first time by title. Seconded by Senator Achi and carried.

First Reading of House Bill No. 187, entitled "An Act to regulate fiduciary companies."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator Achi and carried.

A communication from the House of Representatives transmitting House Bills Nos. 27 and 146 was read by the Clerk, as follows:

Honolulu, H. T., April 25, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Bills Nos. 27 and 146, which have passed this House on their respective Third Readings, April 24, 1903.

S. MEHEULA,  
Clerk.

First Reading of House Bill No. 27, entitled "An Act to repeal Sections 922, 925 and the second paragraph of Section 924, Part V., Chapter 59 of the Penal Laws as compiled in 1897 relating to vaccination."

Senator Kalauokalani moved that the bill pass first reading. Seconded by Senator Nakapaahu and carried.

First Reading of House Bill No. 146, entitled "An Act to erect a bacteriological laboratory at Kalihi Receiving Station and to create and establish the office of Leprologist and Bacteriologist for the examination of Lepers."

Senator Isenberg moved that the bill pass first reading. Seconded by Senator Nakapaahu and carried.

A communication from the House of Representatives, transmitting House Joint Resolutions Nos. 7, 8 and 9, was read by the clerk as follows:

House of Representatives,  
Honolulu, T. H., April 27, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith the following House Joint Resolutions which have been duly adopted by the House of Representatives on the 25th day of April, A. D. 1903, namely:

House Joint Resolution No. 7, Directing the President of the Board of Health to establish a Hospital for the Diagnosis and Treatment of Leprosy;

House Joint Resolution No. 8, relating to the appointment of a Committee of Three Members to go to the Leper Settlement to perform certain duties;

House Joint Resolution No. 9, relating to certain streets in Kewalo.

Respectfully submitted,

S. MEHEULA,  
Clerk.

#### JOINT RESOLUTION NO. 7.

Directing the President of the Board of Health to Establish a Hospital for the Diagnosis and Treatment of Leprosy, and to Enter Into an Agreement with Dr. L. F. Alvarez as Medical Superintendent of the Same.

Whereas, the results obtained from our laws of segregation after a trial of thirty-six years are disappointing, and we have reasons to believe that they will continue to be so unless the methods used be changed so as to conform with the modern ideas concerning leprosy; and

Whereas, our Governor has repeatedly recommended the Legislature to provide for the housing and instruction of the numerous persons now classed as "suspects" who are denied the privilege of attending our schools; and

Whereas, nearly all the physicians in the employ of the Board of Health have recommended that the so-called suspects be not permitted to be at large, some of them perhaps spreading the disease; and

Whereas, the Committee of Examiners fails to make a diagnosis in a large percentage of cases, owing to the fact that leprosy in the beginning is very difficult to recognize; and

Whereas, it is essential that a diagnosis be made as early as possible before the patient has had time to spread the disease; and Whereas, such diagnosis can only be made when the patient is kept under observation in a hospital for a sufficient length of time; and

Whereas, such institution in order to produce good results, should be placed under the direction of an experienced leprologist who should not be permitted to engage in private practice, but who should devote all of his time to the diagnosis and treatment of all mild cases of leprosy; and

Whereas, it is absolutely necessary that supposed lepers be examined as soon as they arrive at Kalihi so that those who have no signs of leprosy be returned to their homes immediately; and those showing but few symptoms of the disease be kept under observation until a diagnosis is made and not permitted to live with advanced cases of leprosy; and

Whereas, the Kalihi Receiving Station is not suitable for hospital purposes, lacking sufficient grounds for the cultivation of fruits and vegetables and being too near the City of Honolulu; and

Whereas, there is a piece of Government land containing an area of 66.55 acres with a fish pond of eight acres adjoining it on the Koolau side of this Island the lease of which expires January 1st, 1904, said land being better adapted for this purpose; and

Whereas, we have full confidence in the high character, ability and experience of Dr. L. F. Alvarez in matters pertaining to leprosy; and

Whereas, he is well qualified for investigations pertaining to this disease, having had special training for this work at the Johns Hopkins University and over three years experience as the Superintendent of the Kalihi Hospital for the treatment of leprosy, having attended the Congress for Leprosy held in Berlin in 1897 and being able to understand the languages of nearly every country where leprosy prevails; now

Therefore be it

Resolved by the Senate and House of Representatives of the Territory of Hawaii in regular session assembled;

That the President of the Board of Health of this Territory be authorized and directed to take immediate possession, by condemnation or other proceedings of that piece or parcel of Government land in the District, of Koolaupoko, at Kaneohe, Island of Oahu, together with the fish pond adjoining it known as Section J, Keaalau part of Waikalua, containing an area of 66.55 acres and the fish pond containing an area of about eight acres; and be it

Resolved that the President of the Board of Health of the Territory of Hawaii be requested to provide a suitable room or rooms for a Laboratory in any of the public buildings of Honolulu to be used by said Dr. L. F. Alvarez in connection with the Hospital at Kaneohe; and be it

Resolved that as soon as practicable the President of the Board of Health shall call for tenders for the erection of all necessary buildings thereon to be used for hospital, dormitories; residence of assistant superintendent, fences, and other necessary improvements; and be it further

Resolved that the President of the Board of Health is hereby authorized and directed to enter into an agreement with Dr. L. F. Alvarez of Honolulu with the following conditions: to wit:

1. During the term of five years said Dr. L. F. Alvarez shall not attend to private patients or private practice of any kind, but shall devote his time entirely to the diagnosis and treatment of leprosy, and to experiment and laboratory work with a view of finding a specific remedy for this disease.

2. Said Dr. L. F. Alvarez shall have full charge of the Hospital for the diagnosis and treatment of leprosy, and shall have authority to employ and dismiss for cause, any employee of said Hospital.

3. That said Dr. L. F. Alvarez shall prepare rules and regulations for the government of said hospital and submit them for the approval of the President of the Board of Health, said rules shall permit the inmates to be treated by any qualified physician of their selection at their own expense.

4. That said Dr. L. F. Alvarez shall be paid for his services out of any moneys in the Treasury not otherwise appropriated the sum of \$400.00 for every month of service. He shall be required to devote at least six hours per day, Sundays and holidays excepted, to the proposed investigation, and shall devote at least one day out of seven to Hospital work at Kaneohe. The Board of Health shall not require said Dr. L. F. Alvarez to devote his time to any other work except as herein specified.

5. Said agreement between the President of the Board of Health and said Dr. L. F. Alvarez will however become null and void if Dr. Alvarez should absent himself from the Territory without special permission of the Board of Health, or if through permanent disability he should cease to attend to his duties; permission to leave the Territory for a short time however can be granted by the Board of Health only on condition that Dr. Alvarez leave a proper substitute approved by the said Board. This agreement shall not be transferrable.

J. K. PAELE,

Representative 5th District.

Honolulu, April 25, 1903.

#### JOINT RESOLUTION NO. 8.

Whereas, there are many persons now at the Leper Settlement on the Island of Molokai, who have not been microscopically examined by the Territorial Bacteriologist and the bacilli lepra have not been demonstrated by such scientific process to exist in said persons, although listed as lepers; and

Whereas, that only the presence of such bacilli lepra in any alleged leprous person would justify such person being declared and classed a leper; and

Whereas, it is necessary to examine microscopically those alleged leprous persons at the said Leper Settlement under the charge and supervision of a Committee from the present Legislature, and find out whether such alleged leprous persons have the lepra bacilli in their system, or whether any of them had once had the disease of leprosy, but now, is not a person in a condition to spread the disease of leprosy which alone justifies segregation, therefore be it

Resolved that a Joint Committee, consisting of three members from each branch of the Territorial Legislature be appointed by the presiding officer of each House of the Territorial Legislature to go to the Leper Settlement to carry out the object and purposes of this Resolution; and

Resolved, that said Committee have full authority and power to select one or two medical experts on leprosy to accompany them to the said Leper Settlement, and with the assistance of the President of the Board of Health or any person appointed by him, to examine the said alleged leprosy persons at said Leper Settlement, and to discharge and release all persons who have not the bacilli lepra in their systems, or in a condition which will not spread the disease of leprosy by being at large; and be it further

Resolved, that the sum of Two Thousand Dollars be and is hereby appropriated to defray the expenses of the said Committee.

J. K. PAELE,

Representative 5th District.

Honolulu, April 25, 1903.

#### JOINT RESOLUTION NO. 9.

Whereas, Charles S. Desky is ready and willing to convey to the Territory certain streets in Kewalo, Honolulu, Island of Oahu, without cost or charge to the Territory, and

Whereas, it would be a benefit to the public to have such streets owned and controlled by the Government: Therefore,

Be it resolved by the Legislature of the Territory of Hawaii:

That the Superintendent of Public Works be, and he is hereby authorized and directed to accept from said Charles S. Desky a deed conveying to the Territory (without charge to the Government) all the title of said Charles S. Desky in and to the following named streets, situated in Kewalo aforesaid, to wit:

Queen Street, extension South of South St.;

Kawalahao Street;

Hustace Avenue;

Cooke Street;

Ward Street;

Cummins Street;

Laniwai Street.

Resolved, also, that after such conveyance said named streets be maintained, repaired and cared for by the Government as public highways.

Senator C. Brown moved that the Joint Resolutions be placed on the order of the day for tomorrow. Seconded by Senator McCandless and carried.



A communication from the House of Representatives transmitting House Bills Nos. 165, 139, 19, 18 and 122 was read by the clerk as follows:

House of Representatives,  
Honolulu, T. H., April 25, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith the following House Bills which have this day passed their respective third readings in the House of Representatives, Territory of Hawaii, to wit:

House Bill No. 165, entitled "An Act to authorize T. B. Lyons, W. T. Robinson, James N. K. Keola, J. L. Coke and W. H. Cornwell, their associates, successors and assigns, to construct, operate and maintain electric works and an electric railway on the Island of Maui, and to regulate the placing of electric wires and poles on the streets of said Island of Maui;"

House Bill No. 139, entitled "An Act to repeal Section 2 of Chapter 53 of the Laws of 1886;"

House Bill No. 19, entitled "An Act to repeal Sections 872, 873 and 889 of the Penal Laws of 1897, relating to the Rules and Regulations of the Board of Health;"

House Bill No. 18, entitled "An Act to amend the Title of Chapter LXII. of the Penal Laws as Compiled in A. D. 1897, and Sections 987, 989 and 990 of the said Penal Laws;" and

House Bill No. 122, entitled "An Act to authorize A. V. Gear, his associates and assigns, to produce and manufacture electricity for the purpose of supplying and selling electric light, power and heat in Honolulu, and on the Island of Oahu, and Granting the right therein to Construct, erect and place Poles and hang or suspend wires thereon and therefrom, and construct underground conduits for the transmission of electricity in and upon the streets therein."

Respectfully submitted,

S. MEHEULA,  
Clerk.

Senator C. Brown moved that the bills be read first time by title. Seconded by Senator J. T. Brown and carried.

First Reading of House Bill No. 165 entitled "An Act to authorize T. B. Lyons, W. T. Robinson, James N. K. Keola, J. L. Coke and W. H. Cornwell, their associates, successors and assigns to construct, operate and maintain electric works and an electric railway on the Island of Maui, and to regulate the placing of electric wires and poles on the streets of said Island of Maui."

Senator Isenberg moved that the bill pass first reading. Seconded by Senator Kalaauokalani and carried.

First Reading of House Bill No. 139 entitled "An Act to repeal Section 2 of Chapter 53 of the Laws of 1886."

Senator Isenberg moved that the bill pass first reading. Seconded by Senator Achi and carried.

First Reading of House Bill No. 19 entitled "An Act to repeal Sections 872, 873 and 889 of the Penal Laws of 1897, relating to the rules and regulations of the Board of Health."

Senator Kalaauokalani moved that the bill pass first reading. Seconded by Senator Woods and carried.

First Reading of House Bill No. 18 entitled "An Act to amend the title of Chapter LXII of the Penal Laws as compiled in A. D. 1897 and Sections 987, 989 and 990 of the said Penal Laws."

Senator Kalaauokalani moved that the bill pass first reading. Seconded by Senator Woods and carried.

First Reading of House Bill No. 122, entitled "An Act to authorize A. V. Gear, his associates and assigns, to produce and manufacture electricity for the purpose of supplying and selling electric light, power and heat in Honolulu and on the Island of Oahu, and granting the right therein to construct, erect and place poles and hang or suspend wires thereon and therefrom, and construct underground conduits for the transmission of electricity in and upon the streets therein."

Senator Kalaauokalani moved that the bill pass first reading. Seconded by Senator Woods and carried.

A communication from the House of Representatives, returning Senate Joint Resolution relating to Harbors of Honolulu and Hilo, and Senate Concurrent Resolution relating to the Coffee Industry, was read by the clerk as follows:

House of Representatives,  
Honolulu, T. H., April 27, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Joint Resolution, relating to requesting the Congress of the United States to appropriate money for deepening the harbor of Honolulu and a breakwater for Hilo, and

Senate Concurrent Resolution relating to petitioning Congress to impose duty upon coffee imported from foreign coun-

tries into the United States of America, both of which having been duly adopted by the House of Representatives on the 25th day of April, A. D. 1903.

Respectfully yours,

S. MEHEULA,  
Clerk.

A number of communication, transmitting resolutions, etc., from the Island of Maui, praying and asking that Senate Bill No. 182 be passed were read by the clerk.

Senator Isenberg moved that the communications be laid on the table. Seconded by Senator Kalauokalani and carried.

Senator Baldwin for the Ways and Means Committee, reported on the petition of the Hon. J. A. Cummins, as follows:

Honolulu, T. H., April 27, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred a Resolution to "Appropriate money to reimburse J. A. Cummins for a fine of \$5,000 for alleged crime of 'Misprison of Treason,'" begs leave to report that we have had the same under careful consideration.

The Resolution is as follows:

#### "RESOLUTION.

"Whereas, the Honorable John Adams Cummins, a Noble under the late Hawaiian Monarchy, and a descendant of one of the highest chief families of Hawaii, an Alii who had sustained intimate and cordial relations with the Kings of Hawaii, viz: Kamehameha III; Kamehameha IV; Kamehameha V; Lunaililo; and her late Majesty Liliuokalani; and who was an elective Member of the Legislatures by which two sovereigns were successively elected to the throne of Hawaii; who for many years was a Member of the House of Nobles, and also of the King's Privy Council of State; and who held the high office of Minister of Foreign Affairs under and by appointment of His late Majesty Kalakaua; and

"Whereas, the said Honorable and aged John Adams Cummins, was arrested without warrant, on the 16th day of January, A. D. 1895; was confined in Oahu Prison and treated with great indignity; was arraigned before a Military Commission or Court Martial, which held its sessions at the Palace while the ordinary courts of the country were pursuing their wonted course of procedure in the Judiciary Building,

"and was charged with the crime of Misprison of Treason; "was convicted and sentenced to pay a fine of Five Thousand "Dollars; was confined in Oahu Prison for a period of thirty "days; did pay such fine of Five Thousand Dollars; and was "thereupon restored to liberty;

"Therefore, be it resolved, That the said sum of Five Thousand Dollars together with interest thereon at the legal rate "from the date of the payment of said fine is hereby appropriated out of any money in the Treasury of the Territory not "otherwise appropriated, and to be immediately available, for "the purpose of repaying to the said Honorable John Adams "Cummins the said sum and interest."

The resolution, as worded, is somewhat severe on the proceedings of the Republic of Hawaii after the uprising in 1895 when the country was under Martial Law, and to support the Resolution would be, in a way, a condemnation of the acts of the Government at that time.

Your Committee understand that the Resolution was introduced on the ground that J. A. Cummins was the only one out of a large number sentenced by the Court Martial, who paid the fine imposed, and for that reason, it is but right he should be refunded. We find on examining the records that there were 190 sentenced, of which 25 only were sentenced to both fines and imprisonment while J. A. Cummins was the sole person who was sentenced to only a fine, and who paid the same.

If it is right and just that J. A. Cummins should be reimbursed, then all who were imprisoned under sentence by the Court Martial have just claims for damages for having been imprisoned.

It is not necessary that we should go into the details of the trials by Court Martial in 1895. It is recent history, and all are familiar with the facts.

Your Committee do not favor the proposition of reimbursing those who were sentenced by said Court Martial. We would say to those in the Senate who might favor the proposition of reimbursing J. A. Cummins, that the Resolution is not in proper shape for appropriating money. It is a Resolution addressed only to the Senate, who have no power to appropriate money without the joint action of the House and Governor.

We recommend that the Resolution be laid on the Table.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS.

The report of the committee was adopted.

At 11:05 o'clock the chair announced a recess of a few minutes.

At 11:15 o'clock the Senate reconvened.

Senator Dickey for the Committee on Miscellaneous Petitions reported on House Bill No. 96 as follows:

Honolulu, T. H., April 23, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Miscellaneous Petitions to which was referred House Bill No. 96 begs leave to report:

The bill allows citizens of the Territory to gather ferns, evergreens, etc., on Government Lands.

Your committee does not consider this advisable as it is very important to keep the sources of water supply in the mountain as well covered with verdure as possible in order that rainfall may be retained so as to gradually percolate to the springs. If the mountain sides are denuded of verdure the rainfall will run off immediately as freshet water and our water supply fall.

Your Committee recommends that the Bill be laid on the table.

C. H. DICKEY, Chairman,  
D. PAUL R. ISENBERG.

I do not concur.  
S. E. KAIUE.

Senator Baldwin moved that the report be laid on the table to be considered with the bill. Seconded by Senator Kaiue and carried.

Senator Paris for the Committee on Public Expenditures reported on House Joint Resolution No. 4, as follows:

Senate Chamber,  
Honolulu, T. H., April 24, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Standing Committee on Public Expenditures, to which was referred House Joint Resolution No. 4, having most carefully considered the same, begs leave to report and to recommend that the Senate do not concur in the said House Joint Resolution No. 4. We made an adverse report upon this matter, as after the fullest investigation possible, we cannot report otherwise. We may say that we believe had the House Committee or the House as a body secured the information which has been gathered by the Senate Committee, that the resolution would not have been sent to this body.

We find that the question of the ownership or title or source of delivery or presentation of this plate has been considered by no less than two commissions and by a number of authorized persons and officials.

The question of whether this plate is or was state or private property is by no means a new one, but your committee trusts that the facts herein presented will appeal to all as being conclusive and that the matter will be permitted to rest as settled once and for all.

At the time of the death of his late Majesty Kalakaua I., the commission selected to pass upon the question here again involved, consisted of the late Dr. George Tr  sseau, representing Her Majesty the Queen Dowager, the late Hon. John A. Hassinger, representing the Government, and the Hon. James Robertson, representing Her Majesty Liliuokalani. The finding of this commission was that the plate in question had been presented by the French Government to the Hawaiian Government as an expression of the friendship following the settlement in a most satisfactory manner of a number of difficulties or differences which had existed between the two Governments for a number of years and which caused much friction and bad feeling on both sides. The finding was that the plate, together with other articles given at the same time, was state and not at all private property.

In the inquiry held in the year 1893, soon after the overthrow of the monarchy, when the question of the ownership of this plate and companion articles once more came up, the committee or commission consisted of Hon. Cecil Brown, representing Her Majesty Queen Dowager Kapiolani, Hon. James Robertson, representing Her Majesty Queen Liliuokalani and Hon. Wm. F. Allen, representing the Provisional Government. Full investigation was again made and the facts were once more found to be that all the plate and the articles generally coupled with it in inventories and schedules had been presented to the Hawaiian Government by the Government of France and was the property of the Hawaiian state and not of the monarch as an individual. In the year 1900 the "Executive Council" passed upon this identical question after a searching investigation and found as herewith. Attached to this report and made a part of it is an extract from the minutes or record of the "executive council," giving in detail the consideration and findings by that body upon this much canvassed question.

Your committee has interviewed Hon. James Robertson, formerly chamberlain in the Royal Household and learns from him that it was always his understanding that the plate in question was the gift of the French Government to the Hawaiian Government during the reign of His Majesty Kamehameha IV.

Col. Curtis Iaukea, of Waialua, this island, who was formerly a ward of the crown and an attache of the Royal Household, has knowledge of this subject from his boyhood. He makes

substantially the same statement as Hon. James Robertson and further supplies your committee with a letter bearing directly upon the matter, which letter is hereto attached and made a part of this report.

Hon. A. S. Cleghorn, whose knowledge of such a matter will doubtless be quite generally accepted as practically conclusive, was asked by your committee for his opinion and recollections concerning the plate. It is his expressed firm belief that this plate, together with other articles of a similar nature was presented to the Hawaiian Government by the French Government as an expression of thorough good feeling and satisfaction following the settlement of an irritating incident in the relations of the two countries. The presentation of this large amount of plate and the other articles was, in the judgment of Governor Cleghorn to a considerable degree in reparation of the Admiral Tromelin "reprisals" of the year 1849, when this French naval officer confiscated the yacht Kamehameha III., called the "King's Yacht," sailing the same away to Tahiti. It was on this occasion that the "Old Fort" was dismantled by Admiral Tromelin and it was never considered that there was full settlement of this affair till the presentation of this plate and other valuable ornaments several years after.

In the course of its researches on this subject your committee secured access to a file of the well known "Spectator" newspaper or periodical and presents as a part of this report extracts from the same, giving quite full details of the presentation of the plate and other articles to the Hawaiian Government by the French Government and showing that the event was strictly a political one. The account given by the "Spectator" can scarcely be questioned by anyone.

Your committee finds to be correct the claim that His Late Majesty Kalakaua at one time secured from the city of Boston, Mass., duplicates for certain lost pieces of the set of plate and further that expense of this replacement was borne by the Government and did not come out of the privy purse.

Your committee feels, then that legally as well as morally and in fact this plate is at this time the property of the Territory of Hawaii. Could we find otherwise it would be a pleasure to recommend that the resolution pass the Senate and that the plate be presented to the Young Princes. We are convinced, however, that it is Territory property and plainly of the nature that in other countries is carefully treasured for purely historical interest. In this instance the gift of the French Government to the Hawaiian Government represents the settlement of difficulties that at one time seriously threatened the Hawaiian monarchy. We would recommend therefore, that on account of its deep historical interest this plate be placed in safe keeping, together with a careful account of the same, where it may be viewed by the public and its true value understood. Than the Bishop Museum, endowed

by an Hawaiian Princess, we know of no better place of deposit and exhibit, the Territorial officials, however, securing a proper receipt for the property. It would thus always serve as a reminder to all the people of the Islands and to visitors from the Mainland and from foreign shores of a happening in which a monarch of Hawaii ne! upheld with kingly grace and ability the dignity then appertaining to Hawaii as a free and independent state amongst the nations of the earth.

All of which is respectfully submitted,

J. D. PARIS,  
L. L. McCANDLESS,  
L. NAKAPAAHU,  
Committee.

Senator Baldwin moved that the report of the committee be laid on the table to be considered with the resolution. Seconded by Senator Kalanokalani and carried.

At 12 o'clock Senator Baldwin moved to take a recess until 2 o'clock. Seconded by Senator Kalanokalani and carried.

#### AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

Under suspension of the rules, Senator Dickey gave notice of intention to introduce a bill entitled "An Act to amend Act 38 of the Session Laws of 1903, entitled 'An Act providing for the drawing, summoning and empanelling of grand and trial jurors.'"

Senator Dickey introduced a bill entitled "An Act to amend Act 38 of the Session Laws of 1903, entitled 'An Act for the drawing, summoning and empanelling of grand and trial jurors.'"

Senator Dickey moved that the bill pass first reading. Seconded by Senator Paris and carried.

Senator Achi offered a resolution relating to the printing of the Journal of the Senate as follows:

#### RESOLUTION.

Be it resolved by the Senate, that the Secretary is hereby authorized to print the Journal of the Senate, including itemized accounts of the expenses of the Special Session and the Regular Sessions; the expenses of which to be paid out of the Appropriation for the expenses of the Special and Regular Sessions of the Senate.

And it is further resolved, that two copies of said Journal shall be furnished each of the Senators.



And it is further resolved, that the printing of the same shall be under the supervision of the chairman of the Printing Committee and the Committee of Accounts.

W. C. ACHI,  
Senator 3rd District.

Senator Dickey moved to amend by presenting one copy to each of the members of the House of Representatives. Senator Achi accepted the amendment.

Senator McCandless moved that action on the resolution be postponed until tomorrow. Seconded by Senator Dickey and carried.

Senator Achi offered a resolution relating to the time in which the clerk be allowed to complete the Journal as follows:

RESOLUTION.

Resolved, That the Clerk of the Senate be and is hereby allowed 40 days in which to complete the Journal of the Senate.  
Honolulu, April 27, 1903.

W. C. ACHI,  
Senator Third District.

Senator Achi moved that the resolution be adopted. Seconded by Senator Kalauokalani.

Senator McCandless moved that consideration of the resolution be postponed until tomorrow. Seconded by Senator Dickey and carried.

A message from the Governor, vetoing a Bill entitled "An Act to provide for the Incorporation and Government of Cities within the Territory of Hawaii," was read by the clerk as follows:

Executive Chamber,  
Territory of Hawaii,  
Honolulu, April 27th, 1903.

To the Legislature of the Territory of Hawaii:

I am unable to approve of a Bill entitled "An Act to provide for the incorporation and government of cities within the Territory of Hawaii" received from the Legislature on April 15th at 1:45 o'clock p. m., and return the same herewith without my signature.

My objections to this bill are as follows:

Section 35 provides that "any police justice . . . shall have all the power and authority now exercised by District Magistrates."

Section 43 provides that "cases in the police court for violation of . . . Territorial laws shall be tried and determined by the police justice without the intervention of a jury."

It is further provided that fines and costs collected in such courts, arising from a breach of the laws of the Territory, shall be paid to the city Treasurer, and that persons sentenced to imprisonment for violation of territorial laws, or who may be committed for non payment of fines and costs for violation of such laws, shall be put to work for the benefit of the city.

It is not easy to forecast the confusion and conflict of authority that would be likely to arise from such legislation, with District Magistrates as County and Territorial officers, still exercising their authority and County police acting under the County law, the unseemly competition between the County and City officials that would inevitably arise, for arresting and trying offenders against Territorial laws and turning the fines and costs into the respective treasuries from which such officers are paid and for controlling the labor of prisoners, is something that is not pleasant to contemplate.

Moreover the provision of Section 43 that such cases shall be tried by police justices "without the intervention of a jury," affects, in certain classes of such cases the rights of parties to a trial by jury to the extent of depriving them of such right except upon appeal.

Section 57, division 12, gives cities the right of eminent domain under which it is provided that they may take private property for public use "within or without the city."

As this provision gives a city the power and right to enter the domain of any County or any other city in the Territory, and condemn and take possession of private property therein for any authorized public purpose, which would include water for drinking purposes and for the development of power, land for water works and for power houses as well as the objects mentioned in the Bill, the provision is against public policy as one that would lead to conflicts of the interests between separate cities and between cities and counties, and as tending to prejudice private interests; it being a self evident proposition that private interests would not receive the same consideration and protection from the authorities of an adjacent city as they would receive from their own county or city authorities.

One of the public purposes mentioned in the Bill for which private property may be condemned outside of the city limits is the establishing of cemeteries, for which object this extraordinary power would be perhaps more likely to be exercised than in the case of the other purposes mentioned in the Bill. Such an exercise of power has but to be suggested to raise doubts in the minds of thinking men, of its impropriety.

The extension of this power to property outside of city limits is in my opinion, dangerous, mischievous and unnecessary.

Section 86 requires that the Territorial Authorities transfer the control of such wharves and docks as may be in their possession within the limits of any city, to the authorities thereof.

This is contrary to the provisions of Section 89 of the Organic Act which provides that wharves and landings constructed or controlled by the Republic of Hawaii, "shall remain under the control of the Government of the Territory of Hawaii, which shall receive and enjoy all revenues derived therefrom."

Section 66 gives the city council power by a two-thirds vote to "order the mayor to borrow a sufficient sum to provide for the expense necessary to be incurred in making any repairs or restoration or improvements," the necessity of which has arisen after the last annual appropriation.

The provision of the Organic Act in relation to the borrowing powers of the several Territorial Governments is contained in Section 55 and is in part as follows: "nor shall any debt be authorized to be contracted by or on behalf of the Territory, or any political or municipal corporation or subdivision thereof, except to pay the interest upon the existing indebtedness, to suppress insurrection or to provide for the common defence, except that in addition to any indebtedness created for such purpose, the Legislature may authorize loans by the Territory or any subdivision thereof for the erection of" public improvements, subject to the limitation of one per cent. of the assessed value of taxable property in the Territory or subdivision thereof, for annual loans and the three per cent. limitation for the aggregate of indebtedness by such subdivision; and further subject to the approval of the President.

There seems to be no valid reason for construing this provision to mean that while the Territory is limited in its borrowing powers, the Legislature may authorize loans by a city without limit except as provided in the Organic Act.

Section 74 gives a city the power to lease and grant for any term of years to any person or persons, company or corporation, "the exclusive right to construct and maintain a system of water works to supply said city with water."

It is a serious matter to give a city the power to grant rights of this character without limit as to time, but when such rights are exclusive as well as unlimited as to time, the provision is most alarming.

Under this power the Supervisors might deliver their city to be bound hand and foot by a water monopoly which could be secured in its privileges by law, for a thousand years or more, were it not for the provision of the Organic Act, (Section 55) forbidding the grant of any "exclusive privilege, immunity, or franchise without the approval of Congress." Even the remote-

ness of the possibility that Congress might approve of such legislation does not remove its dangerous quality.

With these important defects, I do not see how the Bill in question can be of any value as a law, for the incorporation of cities, but fear that it would be a fruitful source of jurisdictional conflicts, litigation and unnecessary increase of the cost of living to citizens.

SANFORD B. DOLE,  
Governor.

Senator C. Brown moved that action be deferred until tomorrow. Seconded by Senator Woods and carried.

A communication from the House of Representatives, returning Senate Joint Resolution relating to the band boys as amended, was read by the clerk as follows:

House of Representatives,  
Honolulu, T. H., April 27, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith the Senate Joint Resolution relating to the Band Boys, which was this day adopted by the House of Representatives, Territory of Hawaii, with the following amendments:

At the end of the second paragraph thereof add the following words: "within the discretion of the Bandmaster." Also strike out the word "half" towards the end of the second line of the third paragraph thereof, in regard to the time of playing at the departure of inter-island steamers.

Respectfully submitted,

SOLOMON MEHEULA,  
Clerk.

Senator Isenberg moved that the Senate concur in the amendments. Seconded by Senator McCandless and carried.

Third Reading of House Bill No. 64, entitled "An Act creating the city and county of Honolulu and providing for the government thereof" continued.

Section 4. Subdivision 6. Insert after the word "provided" the words "Under the direction and control of the Territorial Board of Health."

Add a new subdivision to Section 4 as follows: "29. To regulate the employment of prisoners in the County Jail upon the works in the City and County of Honolulu."

Subdivision 6. Paragraph 2. Insert at the end of the paragraph the words "but in no case shall any lease be made for a longer period than thirty years."

Insert the same amendment at the end of subdivision 25 of Section 4.

At 3:05 o'clock Senator Isenberg moved to take a recess of 15 minutes. Seconded by Senator Woods and carried.

At 3:20 o'clock the Senate reconvened.

Third Reading of House Bill No. 64 continued.

Insert in subdivision fourth of Section 4 the words "to collect and receive through the Treasurer of the City all license fees provided and made necessary to carry on the several kinds of business conducted and carried on in said City as provided to be paid by Act 31 of the Session Laws of 1903 commonly known as the 'County Act.'"

Strike out the sixth paragraph of Section 5.

The bill passed third reading as amended on the following showing of ayes and noes:

Ayes: Senators Achi, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalaauokalani, Kaohi, McCandless, Nakapaahu, Paris and Woods—12.

Noes: Senators C. Brown and Wilcox—2.

Not Present: Senator Baldwin—1.

At 3:25 o'clock Senator Achi moved to take a recess until 7:30 o'clock. Seconded by Senator Kalaauokalani and carried.

### EVENING SESSION.

The Senate reconvened at 7:30 o'clock.

Senator McCandless moved to take up House Bill No. 191 for consideration. Seconded by Senator Kalaauokalani and carried.

Second Reading of House Bill No. 191, entitled "An Act to provide for the care, custody and control of one hundred, fifty-five thousand, five hundred and forty-six and 70-100 dollars (\$155,546.70) being the money now in the possession of the Treasurer of the Territory and designated or known as the 'Chinese Fund.'"

Senator McCandless moved that the bill pass second reading. Seconded by Senator Kalaauokalani and carried.

Senator Achi moved that the bill be read third time tomorrow. Seconded by Senator McCandless and carried.

Third Reading of House Bill No. 11, entitled "An Act to create, establish and locate an Agricultural College and Model

Farm; providing for the management thereof and appropriating money for its management and development."

Senator Achi moved that the bill be referred to the Committee on Health and Education to report tomorrow morning. Seconded by Senator McCandless and carried.

Third Reading of Senate Bill No. 160, entitled "An Act to provide for the safe guarding of Electrical Installation."

The bill was lost on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, Crabbe, Dickey, Kaiue, McCandless and Woods—7.

Noes: Senators C. Brown, J. T. Brown, Kalauokalani, Kaho and Wilcox—5.

Not Present: Senators Isenberg, Nakapaahu and Paris—3.

Third Reading of House Bill No. 144, entitled "An Act authorizing and providing for the sale of licenses to sell opium or a preparation thereof and the issuance of such licenses and defining the duties and powers in regard thereto of the Treasurer and Police Department and defining and prohibiting an opium smoker's den and repealing all other laws and parts of laws in conflict herewith."

Senator C. Brown moved to amend Section 14 by inserting at the end thereof the words "to such person or persons (except women and minors) that have obtained from licensed physician duly practicing his profession and residing in the district a certificate that the use of opium or a preparation thereof for medical reasons (which reasons need not be stated) is necessary and proper in his opinion for the would be purchaser. The fee for such certificate shall be One Dollar to be paid by the person desiring the same. Such certificate shall be recorded by the Licensee at his own expense in a book to be called the License Book, which book shall at all times be open and subject in business to the inspection of all persons and the Police of the several Judicial Districts." Seconded by Senator McCandless and carried.

Senator Dickey moved that the bill be laid on the table. Seconded by Senator Kalauokalani and carried.

Third Reading of House Bill No. 79, entitled "An Act amending Sections 1, 3, 4, 8, 12 and 16 and repealing Section 13 of Chapter 50 of the Session Laws of 1890 being 'An Act entitled An Act to facilitate the collection of debts from Government beneficiaries.'"

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, McCandless and Wilcox—9.

Noes: Senators Kalauokalani and Kaohi—2.

Not Present: Senators Isenberg, Nakapaahu, Paris and Woods—4.

Second Reading of House Bill No. 167, entitled "An Act to appropriate money for the purpose of supplying and placing fire hydrants in the streets of Wailuku and Kahului, Maui, and for purchasing hose, hose carts and other equipments for volunteer fire company in the said town of Wailuku."

Senator Dickey moved to strike out the words "for the biennial fiscal period, commencing with the first day of July, 1902, and ending with the thirtieth day of June, 1903," in lines 4, 5 and 6 of Section 1. Seconded by Senator C. Brown and carried.

Senator Baldwin moved that the bill pass second reading as amended. Seconded by Senator Kalauokalani and carried.

A communication from the House of Representatives, returning Senate Bill No. 21 as amended, was read by the clerk as follows:

Honolulu, H. T., April 27th, 1903.

HON. C. L. CRABBE,  
President of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bill No. 21, which passed Third Reading in the House of Representatives, Territory of Hawaii, this 27th day of April, A. D. 1903, with the following amendments:

In Section 5, line 4, strike out the word "thereof" and insert in lieu thereof the word "hereof."

In Section 9, line 3, strike out the words "full quart bottle," and insert in lieu thereof the word "gallon."

In Section 9, line 4, at the very end, strike out the word "one" and insert in lieu thereof the word "two."

In Section 9, line 5, after the word "bottles" insert the following: "or malt liquors only in quantities not less than one dozen quart or two dozen pint bottles."

Strike out Section 13 and insert in place thereof the following:

"Section 13. No liquor license of any class shall be granted to any person who is not a citizen of the United States who has resided at least two years in the Territory of Hawaii, or to any co-partnership all of the members of which are not citizens of the United States, who have resided in the Terri-

tory of Hawaii at least two years, or to any foreign corporation or to any domestic corporation, the majority of stock of which is not owned by citizens of the United States who have resided in the Territory of Hawaii at least two years. The restrictions in this section contained shall not be held to apply to any person, co-partnership or corporation holding a liquor license under the laws of the Territory of Hawaii on the first day of January, A. D. 1903; Provided, however, such person, co-partnership or corporation shall have been continuously engaged in the liquor business under a license from said first day of January, A. D. 1903, until the time of making application for the new license."

In Section 16, lines 3 and 4, strike out the words "Seven Hundred and Fifty" and insert in lieu thereof the words "Five Hundred."

In Section 16 add at the end thereof, the following: "except that if said Dealer's Liquor License is for the sale of malt liquors only the applicant shall pay to the officer issuing the same an annual fee of Two Hundred and Fifty Dollars."

In Section 24, lines 2 and 3, strike out the words "Three Hundred" and insert in lieu thereof the words "Two Hundred and Fifty."

In Section 32, last line, insert after the word "boarders," the word "guests."

In Section 45, strike out all of said section after the word "repealed," commencing with the word "Provided," and insert in lieu thereof the following: "nothing in this section contained shall be held to repeal any law of the Territory of Hawaii relative to licenses for the sale of malt liquors or for the brewing and sale of malt liquors; Provided, however, that all applications for any such license shall be made in the manner provided by Section 2 of this Act, and all such licenses shall be issued by the officers in the manner specified by said Section 2; and provided, further, that all the provisions of Sections 28, 31, 35 and 49 of this Act shall be held to apply to such licenses for the sale of malt liquors and the brewing and sale of malt liquor."

In Section 47, line 4, strike out the words "one quart," and insert in lieu thereof the words "four gallons."

In Section 47, line 5, strike out the words "one quart," and insert in lieu thereof the words "four gallons."

Insert after Section 47, a new section to be numbered Section 48, as follows:

"Section 48. Any licensee under the provisions of this Act or any other law of the Territory of Hawaii for the sale of intoxicating liquors of any kind who shall violate any of the provisions of this Act, or of the Act under which his license is issued, shall, upon conviction of such violation, in addition to the fine and penalties prescribed by law, forfeit the



license held by him. Upon any such conviction, said license shall be held to be null and void without any action on the part of any official, and it shall not be held to protect in any manner the licensee for any sales claimed to have been made thereunder by said conviction."

Change Section 48 to read "Section 49."

Very respectfully,

SOLOMON MEHEULA,  
Clerk, House of Representatives.

Senator Achi moved that the bill be referred to the committee on Miscellaneous Petitions. Seconded by Senator Baldwin and carried.

A communication from the House of Representatives, returning Senate Bill No. 156, was read by the clerk as follows:

Honolulu, T. H., April 27th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith return Senate Bill No. 156 entitled "An Act concerning Corporations," which has passed its Third Reading in the House of Representatives this 27th day of April, A. D. 1903.

Very respectfully,

S. MEHEULA,  
Clerk.

A communication from the House of Representatives, returning Senate Bills Nos. 37 and 82, was read by the clerk as follows:

Honolulu, H. T., April 27th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith Senate Bills 37 and 82 which passed their respective 3d readings in the House of Representatives this 27th day of April, A. D. 1903.

Very respectfully,

S. MEHEULA,  
Clerk.

A communication from the House of Representatives, returning Senate Bill No. 111, was read by the clerk as follows:

Honolulu, H. T., April 27th, 1903.

To the Honorable President and  
Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith return Senate Bill No. 111, which has this day passed its third reading in the House of Representatives, Territory of Hawaii, the 27th day of April, A. D. 1903.

Respectfully submitted,

S. MEHEULA,  
Clerk.

Third Reading of House Bill No. 78, entitled "An Act to amend Section 8 of Act 9 of the Session Laws of 1901 relative to the Exemption of the Wages of Laborers and Persons working for Wages from Attachment, Execution, Distress and Forced Sale."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, McCandless and Wilcox—9.

Noes: Senators Kalauokalani and Kaohi—2.

Not Present: Senators Isenberg, Nakapaahu, Paris and Woods—4.

Senator Achi moved that the action taken on Senate Bill No. 191 be reconsidered. Seconded by Senator C. Brown and carried.

Senator C. Brown moved to amend by striking out the words "to be a government realization" and insert the words "Trust Fund and the Treasurer of the Territory is hereby authorized and directed to invest the sum of One Hundred and Fifty Thousand Dollars thereof in the purchase at par of One Hundred and Fifty Thousand Dollars of the Bonds of the Territory of Hawaii issued under authority of the Act of Congress entitled 'To pay in part judgments rendered under an Act of the Legislative Assembly of the Territory of Hawaii for property destroyed in suppressing the bubonic plague in said Territory in 1899 and 1900 and authorizing the Territory of Hawaii to issue bonds for the payment of the remaining claims' approved January 26, 1903, and the Treasurer is hereby authorized at any time within 5 years to sell and dispose of said bonds at their market value."

Senator Achi moved as an amendment that the amount of bonds to be purchased be \$100,000.00. Senator C. Brown accepted the amendment which carried.

Senator C. Brown moved to amend the title by inserting the word "investment" before the word "care" in first line. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Achi and carried.

Second Reading of House Bill No. 184, entitled "An Act to convert land at Ponahawai, Hilo, Island of Hawaii, into free public recreation grounds; and to maintain the same as such under the supervision of the Superintendent of Public Works."

Senator C. Brown moved that the bill pass second reading. Seconded by Senator J. T. Brown and carried.

Senator J. T. Brown moved that the bill be read third time tomorrow. Seconded by Senator Achi and carried.

Second Reading of House Bill No. 188, entitled "An Act to provide against embezzlement by Public Officers."

Senator Achi moved that the bill pass second reading. Seconded by Senator C. Brown and carried.

Senator C. Brown moved that all vetoes before the Senate be considered tomorrow afternoon. Seconded by Senator Baldwin and carried.

At 10 o'clock Senator C. Brown moved to adjourn. Seconded by Senator Kalauokalani and carried.

*William Spalding*

Clerk of the Senate.

Approved by the Senate:

*Clarence L. Crabbe*

President of the Senate.

## SIXTIETH DAY.

Tuesday, April 28th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, C. Brown and Woods absent.

The Journal of the Fifty-Ninth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kalauokalani, approved as read.

Senator Baldwin for the Committee on Ways and Means reported on House Joint Resolution relating to the appointment of a commission to the St. Louis Exposition as follows:

Honolulu, T. H., April 28, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred a House Joint Resolution, providing for the appointment of a Commission of three members to represent Hawaii at the St. Louis Exposition, and further providing for a Quintette Club of eight Hawaiian singers and musicians to entertain the visitors to Hawaii's exhibit at said Exposition,—beg leave to report that we have had the same under consideration.

We recommend that a Commission and Quintette Club be appointed, under the provisions of the Resolution, and sent to the St. Louis Exposition, provided that their expenses be paid out of the \$50,000 appropriation for the Hawaiian Exhibit at said Exposition, as passed upon by the Senate.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Baldwin moved that the report of the committee be adopted. Seconded by Senator J. T. Brown.

Senator Achi moved that the report of the committee be laid on the table until this afternoon. Seconded by Senator Woods and carried.

Senator McCandless for the Committee on Public Lands, Internal Improvements, Agriculture, etc., reported as follows:

Senate Chamber,  
Honolulu, T. H., April 27, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your Standing Committee on Public Lands, Internal Improvements, Agriculture, etc., having had under consideration a report from the Special Session of the Senate of this Legislature relative to the Territorial Land Bureau, begs leave now to communicate with this body upon the subject. Your committee finds and believes that the Land Laws of Hawaii are as a whole admirably adapted to conditions within the Territory and contain a number of features that show a distinct advance upon land legislation elsewhere. The provision in our law whereby communities or associations of settlers or small farmers are enabled to secure lands of the best agricultural character upon most reasonable terms is an excellent one and one calculated to steadily increase a population that will assist very materially in the development and upbuilding of the Territory. On account of the large amount or volume of the leasing feature of the administration of the land laws, and for other reasons, we believe that there should be added early to the force in the land office an expert accountant.

There was brought to the attention of your committee a number of complaints to the effect that there had been not a few cases of serious and vexatious delays in the delivery of patents to claimants who had complied with all required conditions. This is a matter which should be remedied at once. The explanation of the commissioner is that he has been hampered in his work by lack of sufficient office force. We believe that neither effort nor expense should be spared in providing claimants with proper titles and with every incentive to settle upon and improve lands.

We find that there are on record many cases of wrong descriptions of lands through errors in surveys. As a matter of fact in recent years many errors have been made in surveying and plotting lots and before patents can be issued it will be necessary to have resurveys. Some of the most glaring mistakes have been made in the Olaa district. We believe that some limit should be specified in the issuance of patents calling for so many acres of land "more or less," as we find in some instances this variation of "more or less" has been over 100 per cent.

Your committee felt that it was necessary to have a thorough examination made of the books, accounts, etc., of the land office at Honolulu and employed a competent expert of

the city for the work. The audit and examinations have been finished and the reports made with a considerable amount of detail, following up a large number of leases and showing fully a number of transactions about which there had been complaint or question.

We find that the land office has been administered honestly and industriously by the present incumbent, but that in the matter of keeping its records a thorough organization is imperatively demanded. The office force was reduced by the Legislature two years ago, and this in the face of the rapid increase of the business of the bureau, which is growing daily and which has quite outstripped the old system of accounts. We find that all the transactions of the office have been brought before the "Governor's Council" for consideration before consummation and that in all cases the conclusions of the "Governor's Council" have been followed. On the advice of your committee the head of the bureau caused to be settled up a number of outstanding lease accounts and secured a more thorough understanding of a number of agreements.

It is the opinion and recommendation of your committee, as intimated above, that this important office should be properly equipped in every way, and that without unnecessary delay. Not only should the clerical force be somewhat increased, but there should be installed a modern system of accounting, checking, etc., whereby it would be a simple, quick and easy thing at any time to learn any and all of the particulars relative to each lease and to all of the public lands of the Territory.

Respectfully submitted,

L. L. McCANDLESS,

J. D. PARIS,

J. B. KAOHI.

Committee.

Senator Dickey moved that the report of the committee be received and ordered spread on the Journal of the Senate. Seconded by Senator Baldwin and carried.

Senator Dickey for the Committee on Miscellaneous Petitions reported on the amendments made by the House of Representatives to Senate Bill No. 21 as follows:

Honolulu, April 27, 1903.

HON. CLARENCE L. CRABBE,  
President of the Senate.

Sir:—Your committee on Miscellaneous Petitions to which was referred the House amendments to Senate Bill 21 relating to the sale of liquor make the following report:

1. The amendment to Section 5 merely corrects a clerical error.

## 2. Amendments to Section 9:

(a) raises the minimum amount of spirituous liquors which may be sold under a Dealer's license from "one full quart bottle" to one gallon.

(b) corrects a clerical error.

(c) in line 9 adds the words after the word "bottles," "or malt liquors only in quantities not less than one dozen quart or two dozen pint bottles." Why this is done is not known. The same words are already in the bill and this amendment merely repeats them. It is evidently an error on the part of the House or the typewriter and should be corrected before the bill goes to the Governor.

3. Section 13 is amended so as to allow only citizens of the United States of two years residence or partnerships or corporations whose members or the majority of whose stockholders are such citizens to have a license.

4. Section 16 is amended so as to reduce Dealers license to \$500, and Malt Liquor license to \$250.

5. Section 24 the fee for manufacturing spirits is reduced to \$250.

Section 6. In Section 32 the word "guest" is added after the word "boarders" so that a guest who is neither a boarder nor lodger can buy liquor on Sunday at a hotel. How a person can be a "guest" without either eating or rooming in the Hotel is a mystery to your committee and a fit subject for a conference committee.

7. In Section 45 the proviso is changed so as to bring malt liquor licenses under the provisions of this act as to applications, also as to the penalties for sale of beer to women and minors and to provide for the forfeiture of malt liquor licenses for breach of conditions of license. These amendments were evidently put in to meet the objections of the Governor to the malt liquor bill.

8. The amendment to Section 47 raises the amount of methylated spirits and alcohol which may be sold at one time to four gallons.

9. A new section is added providing for forfeiture of license in case of violation of the provisions of this act.

Your committee recommends that the Senate do not concur in the amendments of the House as a conference committee is necessary in any event to correct the error in repeating the 17 words in section 9, and some of the other amendments of doubtful expediency.

Respectfully submitted,

C. H. DICKEY, Chairman.  
D. PAUL R. ISENBERG.  
S. E. KAIUE.

Senator Achi moved that the report of the committee be adopted. Seconded by Senator Baldwin and carried.

Senator Isenberg moved that the Revision Committee of the Senate be appointed to act with the Revision Committee of the House as a conference committee on Senate Bill No. 21. Seconded by Senator McCandless and carried.

The chair appointed in addition to the Revision Committee Senators Paris and J. T. Brown as a conference committee on Senate Bill No. 21.

At 10:45 o'clock Senator Baldwin moved to take a recess for 15 minutes. Seconded by Senator Kalauokalani and carried.

At 11:30 o'clock the Senate reconvened.

Senator McCandless offered a resolution relating to the printing of the Journal of the Senate as follows:

#### RESOLUTION.

Be it Resolved by the Senate of the Territory of Hawaii that the Clerk is hereby authorized to print the Journal of the Regular Session, including accounts of the Regular and Special Sessions, the expenses of which are to be paid out of the appropriation for the expenses of the Senate of the year 1903;

And it is further resolved that two (2) copies be furnished each Senator and one (1) copy to each Representative;

And it is further resolved that the printing of the same shall be under the supervision of the President of the Senate, who is to call for tenders for the printing of the same, but shall not be bound to accept the lowest or any bid.

Honolulu, April 28th, 1903.

L. L. McCANDLESS,  
Senator Third District.

Senator J. T. Brown moved that the resolution be adopted. Seconded by Senator Isenberg and carried.

The resolution introduced by Senator Achi relating to the time in which the Clerk be allowed to complete the Journal of the Senate was now taken up.

Senator Achi moved that the resolution be adopted. Seconded by Senator Isenberg and carried.

Senator Achi offered a resolution providing for extra compensation for the clerk as follows:

#### RESOLUTION.

Resolved that the Clerk is allowed five dollars per day from the beginning of the term until the end of the Session.

W. C. ACHI.

Senator Isenberg moved that the resolution be referred to the Committee on Ways and Means. Seconded by Senator Dickey.



Senator Achi moved as an amendment that the resolution be referred to the Committee on Accounts. Seconded by Senator Woods and carried.

Third Reading of House Bill No. 85, entitled "An Act defining and fixing Penalties of Procurers, Pimps and Owners, Agents or Lessees of Houses or Places used or resorted to for the purpose of Prostitution or Lewdness."

Senator McCandless moved that the bill be deferred until this afternoon. Seconded by Senator Achi and carried.

Third Reading of House Bill No. 90, entitled "An Act to reorganize the Board of Health of the Territory of Hawaii, and to repeal Act 60 of 1896, also Chapter 72 of the Session Laws of 1892, and all laws and regulations inconsistent herewith."

Senator Achi moved that the bill be deferred. Seconded by Senator Isenberg and carried.

Third Reading of House Bill No. 167, entitled "An Act to appropriate money for the purpose of supplying and placing fire hydrants in the streets of Wailuku and Kahului, Maui, and for purchasing hose, hose carts and other equipments for volunteer fire company in the said town of Wailuku."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Paris—1.

Third Reading of House Bill No. 184, entitled "An Act to convert land at Ponahawai, Hilo, Island of Hawaii, into free public recreation ground and to maintain the same as such under the supervision of the Superintendent of Public Works."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Wilcox and Woods—13.

Noes: Senator Dickey—1.

Not Present: Senator Paris—1.

Third Reading of House Bill No. 188, entitled "An Act to provide against embezzlement by public officers."

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown,

Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Paris—1.

At 11:55 o'clock Senator C. Brown moved to take a recess until 2 o'clock. Seconded by Senator Kalauokalani and carried.

### AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

Senator Isenberg for the Committee on Accounts reported on the resolution relating to the extra compensation of the clerk as follows:

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Accounts to whom was referred the Resolution relating to the extra pay of the Clerk and other expenses respectfully report as follows, to wit:

The balance of the Senate Appropriation is.....\$	4,434 15
The unpaid bills are about.....	434 15

leaving a balance of.....\$	4,000 00
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Estimated expense for printing of the Journal, say..\$	2,000 00
40 days Clerk services . . . . .	400 00
60 days Clerk services extra at \$7.50.....	450 00
60 days Sergeant-at-Arms at \$1.00.....	60 00
60 days Messenger at \$1.50.....	90 00
60 days Asst. Clerk at \$2.00.....	120 00
60 days Janitor at \$1.00.....	60 00
60 days Chaplain extra at \$1.00.....	60 00
60 days Interpreter extra at \$2.00.....	120 00
Stamps for Senators . . . . .	20 00

Total . . . . .	\$ 3,380 00
Balance . . . . .	620 00
Incidentals . . . . .	320 00

Balance . . . . .	\$ 300 00
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We recommend that the extra pays, Clerks allowance, etc., be allowed.

Respectfully submitted,

D. PAUL R. ISENBERG,  
Chairman.

W. C. ACHI,  
JOHN T. BROWN.

Senator J. T. Brown moved that the report of the committee be adopted. Seconded by Senator Achi and carried.

Senator McCandless offered a resolution relating to what matter should be inserted in the Journal of the Senate as follows:

#### RESOLUTION.

Be it resolved that the Clerk of the Senate is hereby authorized to refer only, in the Journal of the Senate, to any petition, memorial, etc., of which there are a number referring to the same subject;

And be it further resolved, that the Clerk be not required to spread upon the Journal copies of communications, extracts, testimony, opinions and clerical expert's findings attached to any committee report or otherwise;

And be it further resolved that the clerk confer with the President of the Senate in all matters relating to the printing of said Journal.

Honolulu, H. T., April 28th, 1903.

L. L. McCANDLESS,  
Senator Third District.

Senator Achi moved that the resolution be adopted. Seconded by Senator J. T. Brown and carried.

A communication from the House of Representatives, transmitting House Joint Resolution No. 10 relating to certain streets at Punahou, was read by the clerk as follows:

Honolulu, H. T., April 28, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to transmit herewith House Joint Resolution No. 10, relating to certain streets in Punahou, Honolulu, Island of Oahu.

Respectfully submitted,

S. MEHEULA,  
Clerk.

#### HOUSE JOINT RESOLUTION NO. 10.

Whereas, Charles S. Desky is the owner of certain roads in Punahou, Honolulu, Island of Oahu, hereinbelow specified, and has offered and is willing to convey the same to the Territory of Hawaii by deed, and

Whereas, it is for the best interests of the public that the Territory should acquire the title in and to said roads:

Be it Resolved by the Legislature of the Territory of Hawaii:

That the Superintendent of Public Works be and he is hereby authorized and directed to accept from said Charles S. Desky a deed conveying to the Territory of Hawaii, all the right, title and interest of said Charles S. Desky, in and to the following named roads:

Dominis Street,  
Anapuni Street,  
College Street,  
Hastings or Nowewehi Street.

Resolved Further, That after the delivery and acceptance of such conveyance the said named roads shall be maintained and cared for by the Government as public highways.

Senator McCandless moved that the resolution be adopted. Seconded by Senator Dickey and carried.

A communication from the House of Representatives, transmitting Senate Bills Nos. 170, 149, 135 and 166, was read by the clerk as follows:

Honolulu, H. T., April 28, 1903.

To the Hon. President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith the following Senate Bills which have passed their respective third readings in the House of Representatives, Territory of Hawaii, on this 28th day of April, A. D. 1903:

Senate Bills 170, 149, 135, 166.

Respectfully submitted,

S. MEHEULA,  
Clerk.

The following communication from the House of Representatives, transmitting Senate Bills Nos. 127, 186, 14, 89 and 68, was read by the clerk as follows:

House of Representatives,  
Honolulu, T. H., April 27th, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith the following Senate Bills which passed Third Reading in the House of Representatives, Territory of Hawaii, this 27th day of April, A. D. 1903:

Senator Achi moved as an amendment that the amount of bonds to be purchased be \$100,000.00. Senator C. Brown accepted the amendment which carried.

Senator C. Brown moved to amend the title by inserting the word "investment" before the word "care" in first line. Seconded by Senator Dickey and carried.

Senator C. Brown moved that the bill pass second reading as amended. Seconded by Senator Achi and carried.

Second Reading of House Bill No. 184, entitled "An Act to convert land at Ponahawai, Hilo, Island of Hawaii, into free public recreation grounds; and to maintain the same as such under the supervision of the Superintendent of Public Works."

Senator C. Brown moved that the bill pass second reading. Seconded by Senator J. T. Brown and carried.

Senator J. T. Brown moved that the bill be read third time tomorrow. Seconded by Senator Achi and carried.

Second Reading of House Bill No. 188, entitled "An Act to provide against embezzlement by Public Officers."

Senator Achi moved that the bill pass second reading. Seconded by Senator C. Brown and carried.

Senator C. Brown moved that all vetoes before the Senate be considered tomorrow afternoon. Seconded by Senator Baldwin and carried.

At 10 o'clock Senator C. Brown moved to adjourn. Seconded by Senator Kalauokalani and carried.



Clerk of the Senate.

Approved by the Senate:



President of the Senate.

## SIXTIETH DAY.

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Tuesday, April 28th, 1903.

The Senate met, pursuant to adjournment, at 10 o'clock.

After prayer by the Chaplain, the roll was called showing Senators Baldwin, C. Brown and Woods absent.

The Journal of the Fifty-Ninth Day was read and, upon motion of Senator J. T. Brown, seconded by Senator Kalau-okalani, approved as read.

Senator Baldwin for the Committee on Ways and Means reported on House Joint Resolution relating to the appointment of a commission to the St. Louis Exposition as follows:

Honolulu, T. H., April 28, 1903.

HONORABLE C. L. CRABBE,  
President of the Senate.

Sir:—Your Committee on Ways and Means, to whom was referred a House Joint Resolution, providing for the appointment of a Commission of three members to represent Hawaii at the St. Louis Exposition, and further providing for a Quintette Club of eight Hawaiian singers and musicians to entertain the visitors to Hawaii's exhibit at said Exposition,—beg leave to report that we have had the same under consideration.

We recommend that a Commission and Quintette Club be appointed, under the provisions of the Resolution, and sent to the St. Louis Exposition, provided that their expenses be paid out of the \$50,000 appropriation for the Hawaiian Exhibit at said Exposition, as passed upon by the Senate.

Respectfully submitted,

H. P. BALDWIN,  
J. D. PARIS,  
S. E. KAIUE.

Senator Baldwin moved that the report of the committee be adopted. Seconded by Senator J. T. Brown.

Senator Achi moved that the report of the committee be laid on the table until this afternoon. Seconded by Senator Woods and carried.

The report of the conference committee was adopted and the bill passed third reading on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

Noes: None.

Not Present: Senator Isenberg—1.

Second Reading of Senate Bill No. 22, entitled "An Act to better define and regulate the manner of electing directors and trustees of corporations."

Senator McCandless moved that the bill pass second reading. Seconded by Senator Achi.

Senator C. Brown moved as an amendment that the bill be laid on the table. Seconded by Senator Woods and carried.

Third Reading of House Bill No. 85, entitled "An Act defining and fixing penalties of procurers, pimps and owners, agents or lessees of houses or places used or resorted to for the purpose of prostitution or lewdness."

Senator McCandless moved that the bill be laid on the table. Seconded by Senator Achi and lost.

The bill passed third reading on the following showing of ayes and noes:

Ayes: Senators C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, Nakapaahu, Paris, Wilcox and Woods—12.

Noes: Senators Achi and McCandless—2.

Not Present: Senator Baldwin—1.

Third Reading of House Bill No. 90, entitled "An Act to reorganize the Board of Health of the Territory of Hawaii, and to repeal Act 60 of 1896, also Chapter 72 of the Session Laws of 1892, and all laws and regulations inconsistent herewith."

Senator McCandless moved that the bill be laid on the table. Seconded by Senator Achi and carried.

House Joint Resolution No. 7 relating to the establishment of a hospital for the treatment of leprosy was now considered.

Senator Dickey moved that the resolution be laid on the table. Seconded by Senator Isenberg and carried on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, Crabbe, Dickey, Isenberg, McCandless, Paris, Wilcox and Woods—10.

Noes: Senators J. T. Brown, Kaiue, Kalauokalani, Kaohi and Nakapaahu—5.

At 3:30 o'clock Senator Isenberg moved to take a recess until 7:30 o'clock this evening. Seconded by Senator Baldwin and carried.

### EVENING SESSION.

The Senate reconvened at 7:30 o'clock.

Second Reading of House Bill No. 16, entitled "An Act to provide for and to regulate the sending of Youths to the Mainland or Abroad to be Educated."

Senator Dickey moved that the bill pass second reading. Seconded by Senator Kaiue and carried.

Second Reading of House Bill No. 60, entitled "An Act to extend School Street from Liliha Street to Kamehameha IV. Road in the District of Honolulu, Island of Oahu, and to make appropriation for said extension."

Senator Dickey moved that the bill pass second reading. Seconded by Senator Achi and carried.

Second Reading of House Bill No. 106, entitled "An Act to appropriate money for the extension of Pauahi Street to Fort Street in the City of Honolulu."

Senator Dickey moved that the bill pass second reading. Seconded by Senator Achi and carried.

Second Reading of House Bill No. 153, entitled "An Act relating to Evidence, amending and repealing certain laws on that subject."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalaauokalani and carried.

Second Reading of House Bill No. 179, entitled "An Act to create a Public Park at Hilo, Hawaii."

Senator Dickey moved that the bill pass second reading. Seconded by Senator Kalaauokalani and carried.

Second Reading of House Bill No. 111, entitled "An Act to prohibit all aliens from fishing in the waters of the Territory of Hawaii."

Senator Dickey moved that the bill pass second reading. Seconded by Senator Achi and carried.

Second Reading of House Bill No. 25, entitled "An Act to permit any person to treat leprosy without license."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kaiue and carried.

Second Reading of House Bill No. 119, entitled "An Act to establish and maintain School Libraries."

Senator Dickey moved that the bill pass second reading. Seconded by Senator Achi and carried.



Second Reading of House Bill No. 170, entitled "An Act to regulate the practice of Pharmacy and the selling, compounding and dispensing of drugs, chemicals and poisons in the Territory of Hawaii."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalaauokalani and carried.

Second Reading of House Bill No. 171, entitled "An Act amending Section 3 of Act 21 of the Acts of the Provisional Government (Penal Laws, 1897, Section 389)."

Senator Kalaauokalani moved that the bill pass second reading. Seconded by Senator Dickey and carried.

Second Reading of House Bill No. 176, entitled "An Act to provide for the issuance of licenses and the collection of fees for the same."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalaauokalani and carried.

Second Reading of House Bill No. 183, entitled "An Act to provide for the support of the families of deceased persons out of the estates of such deceased persons, and to set apart property exempt from execution for the use of the families of such deceased persons, and to apportion the property so set apart."

Senator Dickey moved that the bill pass second reading. Seconded by Senator J. T. Brown and carried.

Second Reading of Senate Bill No. 185, entitled "An Act to authorize and provide for the construction, maintenance and operation of a Telephone System in the Territory of Hawaii, by the Standard Telephone Company, Ltd."

Senator Achi moved that the bill pass second reading. Seconded by Senator Woods and carried.

Second Reading of House Bill No. 96, entitled "An Act to permit the citizens of the Territory of Hawaii to gather Mailles, Ferns, Ieie, Awapuhi and Evergreens from the Government Lands."

Senator Dickey moved that the report of the committee be adopted. Seconded by Senator Achi and carried.

Second Reading of Senate Bill No. 193, entitled "An Act to amend Act 38 of the Session Laws of 1903 entitled 'An Act providing for the drawing, summoning and empaneling of grand and trial jurors.'"

Senator Kalaauokalani moved that the bill pass second reading. Seconded by Senator Dickey and carried.

Second Reading of House Bill No. 187, entitled "An Act to regulate the Fiduciary Companies."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalaauokalani and carried.

Second Reading of House Bill No. 27, entitled "An Act to repeal Sections 922, 925 and the second paragraph of Section 924, Part V., Chapter 59 of the Penal Laws as compiled in 1897, relating to Vaccination."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalauokalani and carried.

Second Reading of House Bill No. 146, entitled "An Act to erect a Bacteriological Laboratory at Kalihi Receiving Station and to erect and establish the office of Leprologist and Bacteriologist for the examination of Lepers."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalauokalani and carried.

Second Reading of House Bill No. 139, entitled "An Act to repeal Section 2 of Chapter 53 of the Laws of 1886."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalauokalani and carried.

Second Reading of House Bill No. 18, entitled "An Act to amend the title of Chapter LXII. of the Penal Laws as compiled in A. D. 1897 and Sections 987, 989 and 990 of the said Penal Laws."

Senator Achi moved that the bill pass second reading. Seconded by Senator Woods and carried.

Second Reading of House Bill No. 165, entitled "An Act to authorize T. B. Lyons, W. T. Robinson, James N. K. Keola, J. L. Coke and W. H. Cornwell, their associates, successors and assigns, to construct, operate and maintain electric works and an electric railway on the Island of Maui, and to regulate the placing of electric wires and poles on the streets of said Island of Maui."

Senator Achi moved that the bill pass second reading. Seconded by Senator Woods and carried.

Second Reading of House Bill No. 122, entitled "An Act to authorize A. V. Gear, his associates and assigns, to produce and manufacture electricity for the purpose of supplying and selling electric light, power and heat in Honolulu, and on the Island of Oahu, and granting the right therein to construct, erect and place poles and hang or suspend wires thereon and therefrom, and construct underground conduits for the transmission of electricity in and upon the streets therein."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalauokalani and carried.

Second Reading of House Bill No. 19, entitled "An Act to repeal Sections 872, 873 and 889 of the Penal Laws of 1897, relating to the Rules and Regulations of the Board of Health."

Senator Achi moved that the bill pass second reading. Seconded by Senator Kalauokalani and carried.

Second Reading of House Bill No. 66, entitled "An Act to provide for the payment of claims of damages by persons imprisoned in the year 1895."

Senator Dickey moved that the bill be laid on the table. Seconded by Senator Woods and carried.

The consideration of House Joint Resolution No. 8, relating to the appointment of a committee to examine the Lepers at Molokai, was now taken up.

Senator Kalauokalani moved that the resolution be adopted. Seconded by Senator J. T. Brown.

Senator Dickey moved that the resolution be laid on the table. Seconded by Senator McCandless and carried on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, Crabbe, Dickey, McCandless, Paris, Wilcox and Woods—8.

Noes: Senators J. T. Brown, Kaiue, Kalauokalani, Kaohi and Nakapaahu—5.

Not Present: Senators C. Brown and Isenberg—2.

House Joint Resolution No. 9, relating to the Government taking over certain streets in Kewalo, Honolulu, was now taken up for consideration.

Senator Dickey moved that the resolution be referred to the Committee on Public Lands, Internal Improvements, Agriculture, etc. Seconded by Senator Baldwin.

The President here called the Vice President to the chair.

Senator Crabbe moved that the resolution be adopted. Seconded by Senator Kalauokalani.

The motion to refer to the committee was then put and lost.

The motion to adopt the resolution carried.

Senator Crabbe introduced the following Joint Resolution:

#### JOINT RESOLUTION.

Be it resolved by the Legislature of the Territory of Hawaii:

Whereas, Honolulu, in the County of Oahu, Territory of Hawaii, heretofore known as the District of Honolulu, containing a population of over ten thousand, and not more than one hundred thousand inhabitants; and

Whereas, it is said to be the wish of the inhabitants of said district to be incorporated under a municipal form of government;

Therefore, be it Resolved, That the Governor is hereby requested to appoint and commission a board of fifteen freeholders to prepare and propose a charter for the proposed

City of Honolulu, and that the said charter be submitted to the voters of the said district of Honolulu for their approval or rejection; and should a majority of the votes cast approve of the said charter, it shall then be submitted to the Legislature of the Territory of Hawaii at its next regular session for approval or rejection as a whole.

And be it Further Resolved, That the Secretary of the Territory is hereby instructed to make such provision as may be necessary to secure such an expression of opinion from the voters within the District of Honolulu at the special election to be held for county officers during November next.

CLARENCE L. CRABBE,  
Senator from the Third District.

Senator Crabbe moved that the resolution be adopted. Seconded by Senator Dickey and carried.

Senator Kalaauokalani moved to consider House Joint Resolution No. 1 relating to the appointment of a commission to the St. Louis Exposition. Seconded by Senator Woods and carried.

Senator McCandless moved to amend as follows: "one half of the Quintette Club to be appointed by the Governor and the other half by Prince Kuhio. Seconded by Senator Achi and lost.

Senator Baldwin moved that the resolution be adopted. Seconded by Senator Kalaauokalani and carried.

A communication from the House of Representatives, relating to the passage of Senate Bill No. 167, was read by the clerk as follows:

Honolulu, H. T., April 28, 1903.

To the Hon. President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith return Senate Bill 167 which passed 3rd reading in this House this 28th day of April, 1903.

I have also the honor to inform your honorable body that this House has concurred to Senate amendments to House Bill 85.

This House has also passed Senate Bill No. 148.

Respectfully,

S. MEHEULA,  
Clerk.

The following communications from the Secretary of the Territory were read by the clerk:

Territory of Hawaii,  
Office of the Secretary,  
Honolulu, H. I., April 28, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on the 28th instant:

"Act 52. An Act to Amend Section 8 of Act 9 of the Session Laws of 1901, Relating to the Exemption of the Wages of Laborers and Persons Working for Wages from Attachment, Execution, Distress and Forced Sale."

"Act 53. An Act Amending Sections 1, 3, 4, 8, 12 and 16 and Repealing Section 13 of Chapter 50 of the Session Laws of 1890, being An Act Entitled 'An Act to Facilitate the Collection of Debts from Government Beneficiaries.'"

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

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Territory of Hawaii,  
Office of the Secretary,  
Honolulu, H. I., April 28th, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on the 28th instant:

"Act 54. An Act to Amend Section 9 of Act 51 of the Session Laws of 1896, Relating to Internal Taxes, and Add a New Section called Section 9A."

"Act 55. An Act to Amend Section 1. Act 66, of the Session Laws of 1896."

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

Territory of Hawaii,  
Office of the Secretary,  
Honolulu, H. I., April 28th, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on the 28th instant:

"Act 56. An Act to Provide for Registering and Confirming Titles to Land."

"Act 57. An Act to Amend Act 18 of the Laws of the Provisional Government, and Being Section 868 of the Penal Laws, Relating to the Board of Health."

"Act 58. An Act to Convert Land at Ponahawai, Hilo, Island of Hawaii, into Free Public Recreation Ground, and to Maintain the Same as such Under the Supervision of the Superintendent of Public Works."

"Act 59. An Act to Reorganize and Regulate the Militia of the Territory of Hawaii."

"Act 60. An Act to Provide against Embezzlement by Public Officers."

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

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The following communications from the House of Representatives were read by the clerk:

Honolulu, H. T., April 28, 1903.

To the Honorable President and Senate,  
Territory of Hawaii.

I have the honor to inform your honorable body that the report of the Conference Committee in re Senate Bill No. 21 was adopted this 28th day of April, A. D. 1903, and the bill passed third reading in the House of Representatives, Territory of Hawaii.

Very respectfully,

S. MEHEULA,  
Clerk, House of Representatives.

Approved:

F. W. BECKLEY,  
Speaker, House of Representatives.

Honolulu, H. T., April 28, 1903.

To the Honorable Senate,  
Territory of Hawaii.

I have the honor to inform your honorable body that Senate Bills Nos. 167, 143 and 136 have passed their respective third readings in the House of Representatives this 28th day of April, A. D. 1903.

Respectfully yours,

S. MEHEULA,  
Clerk.

At 8:40 o'clock the chair announced a recess until 9 o'clock. The Senate reconvened at 9 o'clock.

Senator Baldwin moved that the veto of the Governor to the bill entitled "An Act to provide for the acquisition by the Territory of Hawaii of the Kaaikahi and Kahuawai Springs of Panoa Valley and the waters thereof" be now considered. Seconded by Senator McCandless and carried.

Senator C. Brown moved that the bill pass notwithstanding the veto of the Governor. Seconded by Senator Kalanokalani and lost on the following showing of ayes and noes:

Ayes: Senators C. Brown, J. T. Brown, Crabbe, Isenberg, Kaune, Kalanokalani, Kaohi, Nakapaahu and Woods—9.

Noes: Senators Achi, Baldwin, Dickey, McCandless, Paris and Wilcox—6.

The veto of the Governor to a bill entitled "An Act to amend Section 1, Chapter 26 of the Session Laws of 1892, relating to Lights" was next considered.

Senator C. Brown moved that the bill do not pass. Seconded by Senator Woods and carried on the following showing of ayes and noes:

Ayes: Senator Kalanokalani—1.

Noes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaune, Kaohi, McCandless, Nakapaahu, Paris, Wilcox and Woods—14.

The veto of the Governor to a bill entitled "An Act to grant certain powers to representatives of estates of deceased persons, to provide for a Public Administrator, and for distribution on final settlement" was next considered.

Senator Achi moved that the veto of the Governor be sustained. Seconded by Senator Baldwin and carried on the following showing of ayes and noes:

Ayes: Senators Kalanokalani and Kaohi—2.

Noes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, McCandless, Nakapaahu, Paris, Wilcox and Woods—13.

The veto of the Governor to a bill entitled "An Act to provide for the incorporation and government of cities within the Territory of Hawaii" was next taken up for consideration.

Senator C. Brown moved that the bill pass notwithstanding the veto. Seconded by Senator Achi and carried on the following showing of ayes and noes:

Ayes: Senators Achi, Baldwin, C. Brown, J. T. Brown, Crabbe, Dickey, Isenberg, Kaiue, Kalauokalani, Kaohi, McCandless, Nakapaahu, Wilcox and Woods—14.

Noes: Senator Paris—1.

The following communications from the Secretary of the Territory were read by the clerk as follows:

Territory of Hawaii,  
Office of the Secretary,  
Honolulu, H. T., April 28th, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on the 28th instant:

"Act 61. An Act to ~~Repeat~~ the Stamp Duty on Certificates of Stock of Corporations."

"Act 62. An Act to Prevent the Furnishing of Intoxicating Liquors to Inebriates or Minors.

"Act 63. An Act to Regulate and Define the pay of Witnesses."

"Act 64. An Act to Provide for a Digest of the Hawaiian Supreme Court Reports."

"Act 65. An Act to Amend Certain Laws by Striking out the Words 'Fire Marshal' and Inserting in lieu thereof the Words 'Chief Engineer of the Fire Department.'"

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.



Territory of Hawaii,  
Office of the Secretary,  
Honolulu, H. I., April 28th, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Acts on the 28th instant:

"Act 66. An Act Relating to Frauds in the Sale of Butter or Substances having the semblance of Butter, Amending Section 2 of Chapter LXXXIV. of the Laws 1892."

"Act 67. An Act to Encourage the Kona-Kau Railway Company, Limited."

"Act 68. An Act to Repeal Act 24 of the Laws of 1895, Entitled 'An Act to Prevent the Bringing of Actions against Officers of the Government or Others for Acts done in Suppressing Rebellion.'"

"Act 69. An Act to Regulate and License Insurance Business in this Territory."

"Act 70. An Act to Regulate the Practice of Pharmacy and the Selling, Compounding and Dispensing of Drugs, Chemicals and Poisons in the Territory of Hawaii."

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

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Territory of Hawaii,  
Office of the Secretary,  
Honolulu, H. I., April 28th, 1903.

SENATOR C. L. CRABBE,  
President of the Senate.

Sir:—The honor falls upon me to notify you that the Governor signed the following Act on the 28th instant:

"Act 74. An Act Relating to the Settling, Allowing and Signing of Decrees and Exceptions in Certain Cases."

Very respectfully,

G. R. CARTER,  
Secretary of the Territory.

The following communications from the House of Representatives were received and read by the clerk:

House of Representatives,  
Honolulu, H. T., April 28, 1903.

To the Honorable Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bills Nos. 110, 151 and 168 which have this day passed their respective third readings in the House of Representatives.

Very respectfully,  
S. MEHEULA,  
Clerk.

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House of Representatives,  
Honolulu, H. T., April 28, 1903.

To the Honorable President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bills Nos. 125 and 187 which have passed their respective third readings in this House on the 28th day of April, A. D. 1903.

Respectfully yours,  
S. MEHEULA,  
Clerk.

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House of Representatives,  
Honolulu, H. T., April 28, 1903.

To the Hon. President  
and Members of the Senate,  
Territory of Hawaii.

I have the honor to herewith return Senate Bills 126, 142, 97 and 165 which passed third reading in the House this 28th day of April, 1903.

Respectfully yours,  
S. MEHEULA,  
Clerk.

House of Representatives,  
Honolulu, H. T., April 28, 1903.

To the Honorable Senate,  
Territory of Hawaii.

I have the honor to return herewith Senate Bills 139 and 140 which have this day passed third reading in the House of Representatives, Territory of Hawaii.

Respectfully yours,

S. MEHEULA,  
Clerk.

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House of Representatives,  
Honolulu, H. T., April 28, 1903.

To the Honorable Senate,  
Territory of Hawaii.

I have the honor to return herewith the following Senate Bills which have passed their third readings in this House this 28th day of April, A. D. 1903, to wit: Senate Bills Nos. 109 and 150.

Respectfully yours,

S. MEHEULA,  
Clerk.

At 11:05 o'clock the chair announced a recess of 15 minutes.

The Senate reconvened at 11:20 o'clock.

Senator Dickey offered the following resolution relating to the property and effects of the Senate:

#### RESOLUTION.

Resolved that upon the adjournment of the Senate sine die at the close of the session the President of the Senate turn over to the Secretary of the Territory all the Furniture and supplies of the Senate.

Resolved, Further, that the President in turning the same over suggest to the Secretary the desirability of providing more modern and commodious desks for the Senate. The

present desks are antiquated, have keys all alike, and are not roomy enough to hold the documents, books, etc., required for properly carrying out the work of the Senate.

C. H. DICKEY,  
Senator 2nd District.

Senator Baldwin moved to amend that portion of the resolution relating to new desks to read at the next regular session. Senator Dickey accepted the amendment.

The resolution as amended was then adopted.

Senator Isenberg offered the following resolution relating to new quarters for the Senate:

#### RESOLUTION.

Resolved that it is the opinion of the Senate that a larger and more airy room be provided for its accommodation before the next regular session, even if a hall in some other part of the city has to be rented for the purpose.

It is impossible to properly ventilate the present senate chamber without creating serious draughts and there is no room for visitors or proper committee rooms.

D. PAUL R. ISENBERG,  
Senator 3rd District.

Senator Isenberg moved that the resolution be adopted. Seconded by Senator Dickey and carried.

Senator C. Brown moved that a committee be appointed to wait upon the Governor and notify him that the Senate is ready to adjourn sine die. Seconded by Senator Dickey and carried.

The chair appointed the following committee: Senators C. Brown, Baldwin and Kalauokalani.

Senator C. Brown for the committee appointed to wait upon the Governor reported that the Governor had no further business to present.

Senator Baldwin moved that the report of the committee be adopted. Seconded by Senator Dickey and carried.

The foregoing Journal of the Sixtieth Day was read by the clerk and, upon motion of Senator Baldwin, seconded by Senator Dickey, was approved as read.

At 11:55 o'clock the Senate adjourned sine die, after prayer by Senator Kaohi.

A handwritten signature in cursive script, reading "William Spalding".

Clerk of the Senate.

Approved by the Senate:

A handwritten signature in cursive script, reading "Clarence L. Crabbe".

President of the Senate.

# EXPENSES OF THE SENATE.

## SPECIAL SESSION, 1902.

No.	Date.	To whom.	For.	Amount
1	Mar. 2, 1903	W. C. Achi, Compensation as Senator....	\$	200 00
2	Mar. 2, 1903	H. P. Baldwin, Compensation as Senator . . . . .		200 00
3	Mar. 2, 1903	C. Brown, Compensation as Senator...		200 00
4	Mar. 2, 1903	J. T. Brown, Compensation as Senator		200 00
5	Mar. 2, 1903	Clarence L. Crabbe, Compensation as Senator . . . . .		200 00
6	Mar. 2, 1903	C. H. Dickey, Compensation as Senator		200 00
7	Mar. 2, 1903	D. P. R. Isenberg, Compensation as Senator . . . . .		200 00
8	Mar. 2, 1903	S. E. Kalue, Compensation as Senator..		200 00
9	Mar. 2, 1903	D. Kalauokalani, Compensation as Senator . . . . .		200 00
10	Mar. 2, 1903	J. B. Kaohi, Compensation as Senator..		200 00
11	Mar. 2, 1903	L. L. McCandless, Compensation as Senator . . . . .		200 00
12	Mar. 2, 1903	L. Nakapaahu, Compensation as Senator . . . . .		200 00
13	Mar. 2, 1903	J. D. Paris, Compensation as Senator..		200 00
14	Mar. 2, 1903	S. W. Wilcox, Compensation as Senator		200 00
15	Mar. 2, 1903	P. P. Woods, Compensation as Senator		200 00
31	Mar. 2, 1903	William Savidge, Salary as Clerk.....		150 00
32	Mar. 2, 1903	John E. Bush, Salary as Interpreter....		120 00
33	Mar. 2, 1903	Isaac L. Cockett, Salary as Sergeant-at-Arms . . . . .		60 00
34	Mar. 2, 1903	David Kama, Salary as Messenger.....		36 00
35	Mar. 2, 1903	Solomon Paawela, Salary as Janitor...		24 00
36	Mar. 2, 1903	John Kalino, Salary as Chaplain.....		60 00
37	Mar. 2, 1903	William Savidge, Extra Salary as clerk (Compiling Journal) . . . . .		87 50
45	Mar. 2, 1903	A. Barnes, Services as Expert Accountant . . . . .		110 00
46	Mar. 3, 1903	L. Nakapaahu, Mileage . . . . .		24 00
47	Mar. 3, 1903	S. W. Wilcox, Mileage . . . . .		19 60
48	Mar. 3, 1903	J. D. Paris, Mileage . . . . .		32 60
49	Mar. 3, 1903	P. P. Woods, Mileage . . . . .		28 80
50	Mar. 3, 1903	C. H. Dickey, Mileage . . . . .		20 00

## EXPENSES.

No.	Date.	To whom.	For.	Amount.
51	Mar. 3, 1903	H. P. Baldwin, Mileage .....		18 00
52	Mar. 3, 1903	S. E. Kaue, Mileage .....		18 60
53	Mar. 3, 1903	J. H. Kaku, Mileage .....		28 80
54	Mar. 3, 1903	J. T. Brown, Mileage .....		45 80
55	Mar. 3, 1903	Haw. Gazette Co., Binding Journal.....		4 00
56	Mar. 3, 1903	Hon. Planing Mill Co., making Gavel...		2 50
57	Mar. 3, 1903	F. D. Creedon, Typewriting .....		2 50
58	Mar. 3, 1903	Haw. Electric Co., Ice .....		80
59	Mar. 3, 1903	Haw. Star N. Assn., Printing .....		2 50
60	Mar. 3, 1903	F. Maurice McManon, Services as Steno- grapher, Transcribing Testimony and Typewriting .....		66 25
61	Mar. 3, 1903	D. P. R. Isenberg, Postage Stamps.....		10 00
62	Mar. 3, 1903	Mercantile Pig. Co., Printing Letter- heads .....		10 00
63	Mar. 3, 1903	Pacific Hardware Co., mop and Handle		50
64	Mar. 3, 1903	D. Kalauealani, Jr., Translating and Typewriting .....		2 55
65	Mar. 3, 1903	Solomon Paawela (Assigned by D. H. Kahaulelio) Translating .....		27 75
66	Mar. 4, 1903	Wall, Nichols Co., Stationery .....		75
67	Mar. 4, 1903	Wall, Nichols Co., Stationery .....		2 50
68	Mar. 4, 1903	Wall, Nichols Co., Stationery .....		75
69	Mar. 4, 1903	Wall, Nichols Co., Stationery .....		90
70	Mar. 4, 1903	Wall, Nichols Co., Stationery .....		50
79	Mar. 6, 1903	Hawaiian News Co., Stationery .....		4 75
80	Mar. 6, 1903	Hawaiian News Co., Stationery .....		5 50
Total Expenses Special Session, 1902 .....				\$ 4,028 70

## REGULAR SESSION, 1903.

16	Mar. 2, 1903	W. C. Achi, Compensation as Senator (1st Pymt.) .....	\$ 133 33
17	Mar. 2, 1903	H. P. Baldwin, Compensation as Senator (1st Pymt.) .....	133 33
18	Mar. 2, 1903	Cecil Brown, Compensation as Senator (1st Pymt.) .....	133 33
19	Mar. 2, 1903	J. T. Brown, Compensation as Senator (1st Pymt.) .....	133 33
20	Mar. 2, 1903	Clarence L. Crabbe, Compensation as Senator (1st Pymt.) .....	133 33
21	Mar. 2, 1903	C. H. Dickey, Compensation as Senator (1st Pymt.) .....	133 33
22	Mar. 2, 1903	D. P. R. Isenberg, Compensation as Senator (1st Pymt.) .....	133 33
23	Mar. 2, 1903	S. E. Kaue, Compensation as Senator (1st Pymt.) .....	133 33

## EXPENSES.

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No.	Date.	To whom.	For.	Amount.
24	Mar. 2, 1903	D. Kalauokalani, Compensation as Senator (1st Pymt.) . . . . .		133 33
25	Mar. 2, 1903	J. B. Kaohi, Compensation as Senator (1st Pymt.) . . . . .		133 33
26	Mar. 2, 1903	L. L. McCandless, Compensation as Senator (1st Pymt.) . . . . .		133 33
27	Mar. 2, 1903	L. Nakapaahu, Compensation as Senator (1st Pymt.) . . . . .		133 33
28	Mar. 2, 1903	J. D. Paris, Compensation as Senator (1st Pymt.) . . . . .		133 33
29	Mar. 2, 1903	S. W. Wilcox, Compensation as Senator (1st Pymt.) . . . . .		133 33
30	Mar. 2, 1903	P. P. Woods, Compensation as Senator (1st Pymt.) . . . . .		133 33
38	Mar. 2, 1903	William Savidge, Salary as Clerk . . . . .		100 00
39	Mar. 2, 1903	John E. Bush, Salary as Interpreter . . . . .		80 00
40	Mar. 2, 1903	Noa W. Aluli, Salary as Assistant Clerk . . . . .		48 00
41	Mar. 2, 1903	Wm. Holli Thornton, Salary as Sergeant-at-Arms . . . . .		50 00
42	Mar. 2, 1903	J. M. Ezera, Salary as Chaplain . . . . .		25 00
43	Mar. 2, 1903	David Kama, Salary as Messenger . . . . .		30 00
46	Mar. 3, 1903	L. Nakapaahu, Mileage . . . . .		24 00
44	Mar. 2, 1903	Solomon Paawela, Salary as Janitor . . . . .		20 00
47	Mar. 2, 1903	S. W. Wilcox, Mileage . . . . .		19 60
48	Mar. 3, 1903	J. D. Paris, Mileage . . . . .		32 60
49	Mar. 3, 1903	P. P. Woods, Mileage . . . . .		28 80
50	Mar. 3, 1903	C. H. Dickey, Mileage . . . . .		20 00
51	Mar. 3, 1903	H. P. Baldwin, Mileage . . . . .		18 00
52	Mar. 3, 1903	S. E. Katue, Mileage . . . . .		18 60
53	Mar. 3, 1903	J. B. Kaohi, Mileage . . . . .		28 80
54	Mar. 3, 1903	J. T. Brown, Mileage . . . . .		45 80
71	Mar. 4, 1903	Wall, Nichols Co, Stationery . . . . .		27 60
72	Mar. 4, 1903	D. P. R. Isenberg, Postage Stamps . . . . .		20 00
73	Mar. 6, 1903	Bulletin Pub. Co., Printing (bills) . . . . .		40 50
74	Mar. 6, 1903	Bulletin Pub. Co., Printing (bills) . . . . .		25 50
75	Mar. 6, 1903	Bulletin Pub. Co., Printing (bills) . . . . .		35 00
76	Mar. 6, 1903	Bulletin Pub. Co., Printing (bills) . . . . .		58 50
77	Mar. 6, 1903	Bulletin Pub. Co., Printing (bills) . . . . .		54 00
78	Mar. 6, 1903	Hawaiian News Co., Stationery . . . . .		12 65
81	Mar. 6, 1903	Mercantile Ptg. Co., Printing (bills) . . . . .		73 50
82	Mar. 6, 1903	Hawaiian Gazette Co., Printing and Rubber Stamps . . . . .		102 00
83	Mar. 6, 1903	Haw. Star N. Assn., Printing Stationery and Covers . . . . .		53 50
84	Mar. 6, 1903	Haw. Star N. Assn., Advertising (Committee of Public Lands) . . . . .		7 00
85	Mar. 6, 1903	Mercantile Ptg. Co., Letterheads . . . . .		23 50
86	Mar. 6, 1903	Haw. Star N. Assn., Printing (bills) . . . . .		174 25
87	Mar. 6, 1903	Haw. Star N. Assn., Printing (bills) . . . . .		123 00



## EXPENSES.

No.	Date.	To whom.	For.	Amount.
88	Mar. 7, 1903	William Savidge, Salary as Clerk .....		60 00
89	Mar. 7, 1903	Noa W. Aluli, Salary as Assistant Clerk .....		36 00
90	Mar. 7, 1903	Wm. Holi Thornton, Salary as Sergeant-at-Arms .....		30 00
91	Mar. 7, 1903	Solomon Paawela, Salary as Janitor ...		12 00
92	Mar. 7, 1903	David Kama, Salary as Messenger .....		18 00
93	Mar. 7, 1903	J. M. Ezera, Salary as Chaplain .....		15 00
94	Mar. 7, 1903	John E. Bush, Salary as Interpreter....		48 00
95	Mar. 7, 1903	D. H. Kahaulelio, Translating .....		17 00
96	Mar. 9, 1903	D. H. Kahaulelio, Translating .....		55 00
97	Mar. 9, 1903	Paradise of the Pacific, Printing (bills)		34 50
98	Mar. 9, 1903	W. K. Rathburn, Translating .....		48 50
99	Mar. 9, 1903	Paradise of the Pacific, Printing (blanks) .....		5 50
100	Mar. 9, 1903	D. Kalauokalani, Jr., Translating .....		53 41
101	Mar. 9, 1903	Hawaiian Gazette Co., Printing (bills) ..		274 50
102	Mar. 9, 1903	Eli J. Crawford, Translating .....		133 50
103	Mar. 9, 1903	Eli J. Crawford, Translating .....		111 00
104	Mar. 9, 1903	Henry C. Birbe, Jr., Typewriting .....		3 25
105	Mar. 10, 1903	Eli J. Crawford, Translating .....		26 65
106	Mar. 10, 1903	P. Silva, Typewriting .....		29 10
107	Mar. 10, 1903	Miss M. Peterson, Typewriting .....		1 50
108	Mar. 14, 1903	William Savidge, Salary as Clerk .....		60 00
109	Mar. 14, 1903	Noa W. Aluli, Salary as Assistant Clerk ..		36 00
110	Mar. 14, 1903	Eli J. Crawford, Salary as Interpreter..		48 00
111	Mar. 14, 1903	Wm. Holi Thornton, Salary as Sergeant-at-Arms .....		30 00
112	Mar. 14, 1903	Solomon Paawela, Salary as Janitor...		12 00
113	Mar. 14, 1903	David Kama, Salary as Messenger .....		18 00
114	Mar. 14, 1903	J. M. Ezera, Salary as Chaplain .....		15 00
115	Mar. 14, 1903	Wm. M. Langton, Printing (bills) .....		9 00
116	Mar. 14, 1903	Haw. Gazette Co., Printing (bills) .....		180 00
117	Mar. 14, 1903	Haw. Gazette Co., Advertising (Public Lands Committee) .....		7 50
118	Mar. 14, 1903	R. N. Boyd, Translating .....		34 50
119	Mar. 14, 1903	D. H. Kahaulelio, Translating .....		114 00
120	Mar. 14, 1903	Bulletin Pub. Co., Printing (bills) .....		322 50
121	Mar. 14, 1903	Hawaii Herald, Advertising (Public Lands Committee) .....		4 00
122	Mar. 14, 1903	Hawaiian Star N. Assn., Printing (bills)		42 00
123	Mar. 14, 1903	Miss Gussie Clark, Typewriting .....		6 75
124	Mar. 14, 1903	P. H. Burnette, Typewriting .....		3 75
125	Mar. 14, 1903	W. K. Rathburn, Translating .....		23 50
126	Mar. 14, 1903	F. F. Fernandes, Typewriting .....		2 25
127	Mar. 14, 1903	F. F. Fernandes, Translating .....		11 75
128	Mar. 14, 1903	F. F. Fernandes, Typewriting .....		24 75
129	Mar. 21, 1903	Alfred S. Hartwell, Professional Services and Advice Concerning County Bill .....		250 00

## EXPENSES.

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No.	Date.	To whom.	For.	Amount.
130	Mar. 21, 1903	Ell J. Crawford, Salary as Interpreter..		48 00
131	Mar. 21, 1903	J. M. Ezera, Salary as Chaplain .....		15 00
132	Mar. 21, 1903	Solomon Paawela, Salary as Janitor....		12 00
133	Mar. 21, 1903	David Kama, Salary as Messenger .....		18 00
134	Mar. 21, 1903	Noa W. Aluli, Salary as Assistant Clerk		36 00
135	Mar. 21, 1903	Wm. Holi Thornton, Salary as Sergeant-at-Arms . . . . .		30 00
136	Mar. 21, 1903	William Savidge. Salary as Clerk.....		60 00
137	Mar. 21, 1903	Theo. H. Davies & Company, Moving Safe . . . . .		10 00
138	Mar. 21, 1903	John E. Bush, Translating .....		5 00
139	Mar. 21, 1903	John E. Bush, Translating .....		2 50
140	Mar. 21, 1903	John E. Bush, Translating .....		2 50
141	Mar. 21, 1903	Bulletin Pub. Co., Printing County Bill in Hawaiian . . . . .		228 00
142	Mar. 21, 1903	Bulletin Pub. Co., Printing Governor's Message . . . . .		135 00
143	Mar. 21, 1903	John E. Bush, Translating .....		15 96
144	Mar. 21, 1903	D. Kalauokalani, Jr., Translating .....		11 60
145	Mar. 21, 1903	W. J. Coelho, 1-2 of Translating County Bill . . . . .		288 00
146	Mar. 21, 1903	D. H. Kahaulelio, Translating .....		12 50
147	Mar. 21, 1903	Ed Towse, Services on Public Lands Committee . . . . .		110 00
148	Mar. 21, 1903	D. Kalauokalani, Jr., Translating .....		57 03
149	Mar. 21, 1903	Henry C. Birbe, Jr., Typewriting .....		2 75
150	Mar. 21, 1903	P. Silva, Typewriting . . . . .		9 60
151	Mar. 21, 1903	P. Silva, Typewriting . . . . .		9 60
152	Mar. 21, 1903	Hawaiian Gazette Co., Printing (bills)		18 00
153	Mar. 21, 1903	Isaac L. Cockett, Services as Clerk (Public Expenditures Committee) . . . . .		33 00
154	Mar. 21, 1903	R. H. Worrall, Services Clerk Public Expenditures Committee .....		33 00
155	Mar. 21, 1903	W. R. Sims, Services as Clerk Public Expenditures Committee .....		18 00
156	Mar. 21, 1903	Wm. K. Rathburn, Translating .....		18 50
157	Mar. 21, 1903	P. H. Burnette, Typewriting .....		2 50
158	Mar. 21, 1903	R. A. Kearns, Typewriting .....		10 25
159	Mar. 24, 1903	W. C. Achi, Compensation as Senator (2nd Pymt.) . . . . .		133 33
160	Mar. 24, 1903	H. P. Baldwin, Compensation as Senator (2nd Pymt.) . . . . .		133 33
161	Mar. 24, 1903	Cecil Brown, Compensation as Senator (2nd Pymt.) . . . . .		133 33
162	Mar. 24, 1903	J. T. Brown, Compensation as Senator (2nd Pymt.) . . . . .		133 33
163	Mar. 24, 1903	Clarence L. Crabbe, Compensation as Senator (2nd Pymt.) . . . . .		133 33

## EXPENSES.

No.	Date.	To whom.	For.	Amount.
164	Mar. 24, 1903	C. H. Dickey, Compensation as Senator (2nd Pymt.) . . . . .		133 33
165	Mar. 24, 1903	D. P. R. Isenberg, Compensation as Senator (2nd Pymt.) . . . . .		133 33
166	Mar. 24, 1903	S. E. Kalue, Compensation as Senator (2nd Pymt.) . . . . .		133 33
167	Mar. 24, 1903	D. Kalauokalani, Compensation as Senator (2nd Pymt.) . . . . .		133 33
168	Mar. 24, 1903	J. B. Kaohi, Compensation as Senator (2nd Pymt.) . . . . .		133 33
169	Mar. 24, 1903	L. L. McCandless, Compensation as Senator (2nd Pymt.) . . . . .		133 33
170	Mar. 24, 1903	L. Nakapaahu, Compensation as Senator (2nd Pymt.) . . . . .		133 33
171	Mar. 24, 1903	J. D. Paris, Compensation as Senator (2nd Pymt.) . . . . .		133 33
172	Mar. 24, 1903	S. W. Wilcox, Compensation as Senator (2nd Pymt.) . . . . .		133 33
173	Mar. 24, 1903	P. P. Woods, Compensation as Senator (2nd Pymt.) . . . . .		133 33
175	Mar. 28, 1903	J. M. Ezera, Salary as Chaplain . . . . .		15 00
176	Mar. 28, 1903	William Savidge, Salary as Clerk . . . . .		60 00
177	Mar. 28, 1903	Noa W. Aluli, Salary as Assistant Clerk . . . . .		36 00
178	Mar. 28, 1903	Eli J. Crawford, Salary as Interpreter . . . . .		48 00
179	Mar. 28, 1903	Wm. Holi Thornton, Salary as Sergeant-at-Arms . . . . .		30 00
180	Mar. 28, 1903	J. H. Harrison, Typewriter Ribbons . . . . .		2 00
181	Mar. 28, 1903	David Kama, Salary as Messenger . . . . .		18 00
182	Mar. 28, 1903	Enoch Johnson, Translating . . . . .		7 00
183	Mar. 28, 1903	E. J. Crawford, Translating Amendments to County Bill . . . . .		256 05
184	Mar. 28, 1903	P. Silva, Typewriting . . . . .		3 00
185	Mar. 28, 1903	Eli J. Crawford, Translating Petitions re Hilo Railroad . . . . .		4 00
186	Mar. 28, 1903	Bulletin Pub. Co., Printing (bills) . . . . .		51 00
187	Mar. 28, 1903	A. Josephine French, Typewriting . . . . .		12 00
188	Mar. 28, 1903	Ed Towse, Services as Clerk (Public Lands Committee) . . . . .		30 00
189	Mar. 28, 1903	P. Silva, Typewriting . . . . .		45 75
190	Mar. 28, 1903	Mercantile Ptg. Co., Printing (bills) . . . . .		103 50
191	Mar. 28, 1903	Hawaiian Star N. Assn., Printing (bills) . . . . .		179 75
192	Mar. 28, 1903	Hawaiian Star N. Assn., Printing (bills) . . . . .		133 75
193	Mar. 28, 1903	D. Kalauokalani, Jr., Translating . . . . .		30 25
194	Mar. 28, 1903	D. Kalauokalani, Jr., Translating . . . . .		14 24
195	Mar. 28, 1903	J. J. Byrne (assigned by J. E. Bush), Translating . . . . .		11 38
196	Mar. 28, 1903	Solomon Paawela, Salary as Janitor . . . . .		12 00
197	Apr. 4, 1903	Bulletin Pub. Co., Printing (bills) . . . . .		73 50
198	Apr. 4, 1903	Bulletin Pub. Co., Printing (bills) . . . . .		60 00

## EXPENSES.

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No.	Date.	To whom.	For.	Amount.
199	Apr. 4, 1903	Bulletin Pub. Co., Printing (bills).....		69 00
200	Apr. 4, 1903	Wm. Holl Thornton, Salary as Sergeant-at-Arms . . . . .		30 00
201	Apr. 4, 1903	David Kama, Salary as Messenger . . . . .		18 00
202	Apr. 4, 1903	Noa W. Aluli, Salary as Assistant Clerk..		36 00
203	Apr. 4, 1903	Solomon Paawela, Salary as Janitor . . . . .		12 00
204	Apr. 4, 1903	William Savidge, Salary as Clerk . . . . .		60 00
205	Apr. 4, 1903	Haw. News Co., Stationery . . . . .		18 15
206	Apr. 4, 1903	Bulletin Pub. Co., Printing (bills).....		160 00
207	Apr. 4, 1903	D. Kalauokalani, Jr., Translating . . . . .		44 89
208	Apr. 4, 1903	N. Fernandez, Typewriting . . . . .		6 25
209	Apr. 4, 1903	Miss Gussie Clark, Typewriting . . . . .		27 30
210	Apr. 4, 1903	Miss Gussie Clark, Typewriting . . . . .		14 75
211	Apr. 4, 1903	Henry C. Birbe, Jr., Typewriting . . . . .		5 75
212	Apr. 4, 1903	Mary F. Buckland, Typewriting . . . . .		4 75
213	Apr. 4, 1903	P. Silva, Typewriting . . . . .		8 00
214	Apr. 4, 1903	Miss Gussie Clark, Typewriting . . . . .		28 75
215	Apr. 4, 1903	P. H. Burnette, Typewriting . . . . .		11 00
216	Apr. 4, 1903	Haw'n. Star N. Assn., Printing (bills) . . .		278 00
217	Apr. 4, 1903	John E. Bush, Translating . . . . .		31 00
218	Apr. 4, 1903	Haw'n. Gazette Co., Printing (bills)....		23 75
219	Apr. 4, 1903	Eli J. Crawford, Translating . . . . .		248 50
220	Apr. 4, 1903	F. F. Fernandes, Typewriting . . . . .		32 25
221	Apr. 4, 1903	F. F. Fernandes, Typewriting . . . . .		22 80
222	Apr. 4, 1903	L. C. Ables, Services as Expert Accountant . . . . .		338 55
223	Apr. 4, 1903	R. A. Kearns, Typewriting . . . . .		51 75
224	Apr. 4, 1903	Eli J. Crawford, Salary as Interpreter..		48 00
225	Apr. 4, 1903	J. M. Ezera, Salary as Chaplain . . . . .		15 00
226	Apr. 4, 1903	Paradise of the Pacific, Printing (bills) . . .		31 50
227	Apr. 11, 1903	William Savidge, Salary as Clerk . . . . .		60 00
228	Apr. 11, 1903	Noa W. Aluli, Salary as Assistant Clerk		36 00
229	Apr. 11, 1903	Wm. Holl Thornton, Salary as Sergeant-at-Arms . . . . .		30 00
230	Apr. 11, 1903	Eli J. Crawford, Salary as Interpreter..		48 00
231	Apr. 11, 1903	David Kama, Salary as Messenger . . . . .		18 00
232	Apr. 11, 1903	J. M. Ezera, Salary as Chaplain . . . . .		15 00
233	Apr. 11, 1903	Solomon Paawela, Salary as Janitor . . . . .		12 00
234	Apr. 11, 1903	F. J. Kruger, Repairing Clock . . . . .		1 50
235	Apr. 11, 1903	Paradise of the Pacific, Printing (bills) . . .		22 50
236	Apr. 11, 1903	Eli J. Crawford, Translating and Typewriting . . . . .		117 50
237	Apr. 11, 1903	Eli J. Crawford, Translating . . . . .		31 50
238	Apr. 11, 1903	J. A. Thompson, Typewriting . . . . .		15 00
239	Apr. 11, 1903	Miss H. James, Typewriting . . . . .		2 50
240	Apr. 11, 1903	Mary F. Buckland, Typewriting . . . . .		30 10
241	Apr. 11, 1903	W. R. Riley, Painting Sign . . . . .		4 00
242	Apr. 11, 1903	D. Kalauokalani, Jr., Translating . . . . .		63 20

## EXPENSES.

No.	Date.	To whom.	For.	Amount.
244	Apr. 16, 1903	W. C. Achi, Compensation as Senator (3rd Pymt.) . . . . .		133 34
245	Apr. 16, 1903	H. P. Baldwin, Compensation as Senator (3rd Pymt.) . . . . .		133 34
246	Apr. 16, 1903	Cecil Brown, Compensation as Senator (3rd Pymt.) . . . . .		133 34
247	Apr. 16, 1903	J. T. Brown, Compensation as Senator (3rd Pymt.) . . . . .		133 34
248	Apr. 16, 1903	C. H. Dickey, Compensation as Senator (3rd Pymt.) . . . . .		133 34
249	Apr. 16, 1903	D. P. R. Isenberg, Compensation as Senator (3rd Pymt.) . . . . .		133 34
250	Apr. 16, 1903	S. E. Kalae, Compensation as Senator (3rd Pymt.) . . . . .		133 34
251	Apr. 16, 1903	D. Kalaauokalani, Compensation as Senator (3rd Pymt.) . . . . .		133 34
252	Apr. 16, 1903	J. B. Kaohi, Compensation as Senator (3rd Pymt.) . . . . .		133 34
253	Apr. 16, 1903	L. L. McCandless, Compensation as Sen- ator (3rd Pymt.) . . . . .		133 34
254	Apr. 16, 1903	L. Nakapaahu, Compensation as Senator (3rd Pymt.) . . . . .		133 34
255	Apr. 16, 1903	J. D. Paris, Compensation as Senator (3rd Pymt.) . . . . .		133 34
256	Apr. 16, 1903	S. W. Wilcox, Compensation as Senator (3rd Pymt.) . . . . .		133 34
257	Apr. 16, 1903	P. P. Woods, Compensation as Senator (3rd Pymt.) . . . . .		133 34
258	Apr. 16, 1903	Clarence L. Crabbe, Compensation as Sen- ator (3rd Pymt.) . . . . .		133 34
259	Apr. 18, 1903	William Savidge, Salary as Clerk . . . . .		60 00
260	Apr. 18, 1903	Noa W. Aluli, Salary as Assistant Clerk		36 00
261	Apr. 18, 1903	Solomon Paawela, Salary as Janitor . . .		12 00
262	Apr. 18, 1903	David Kama, Salary as Messenger . . . .		18 00
263	Apr. 18, 1903	Wm. Holli Thornton, Salary as Sergeant- at-Arms . . . . .		30 00
264	Apr. 18, 1903	J. M. Ezera, Salary as Chaplain . . . . .		15 00
265	Apr. 18, 1903	Eli J. Crawford, Salary as Interpreter . .		40 00
266	Apr. 18, 1903	R. A. Kearns, Services as Stenographer (Pahoa Water Works Committee) . . . .		9 90
267	Apr. 18, 1903	Haw'n Gazette Co., Binding Special Ses- sion Journals (\$38.25) Printing (\$39.00)		77 25
268	Apr. 18, 1903	Bulletin Pub. Co., Printing (bills) . . . .		51 00
269	Apr. 18, 1903	Bulletin Pub. Co., Printing (bills) . . . .		33 00
270	Apr. 18, 1903	Paradise of the Pacific, Printing (bills)		13 50
271	Apr. 18, 1903	Haw'n Star N. Assn., Printing (bills) . .		37 50
272	Apr. 18, 1903	Bulletin Pub. Co., Printing (bills) . . . .		105 00
273	Apr. 18, 1903	D. Kalaauokalani, Jr., Translating . . . .		16 54

## EXPENSES.

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No.	Date.	To whom.	For.	Amount.
274	Apr. 18, 1903	Ed Towse, Services as Clerk (Public Lands Committee) . . . . .		45 00
275	Apr. 18, 1903	J. D. Avery, Typewriting and Transcribing Testimony . . . . .		28 40
276	Apr. 18, 1903	R. A. Kearns, Typewriting . . . . .		59 60
277	Apr. 18, 1903	Mary F. Buckland, Typewriting . . . . .		52 15
278	Apr. 18, 1903	N. Fernandez, Typewriting . . . . .		6 25
279	Apr. 18, 1903	P. Silva, Typewriting . . . . .		27 50
280	Apr. 18, 1903	A. Josephine French, Typewriting . . . . .		3 00
281	Apr. 18, 1903	Union Express Co., Cartage on Desk and Typewriter . . . . .		1 00
282	Apr. 18, 1903	Solomon Paawela, Salary as Messenger for Conference Committee . . . . .		7 50
283	Apr. 18, 1903	J. Carty, Use of Team and Wagonette (Special Committee on Pahoa Water Works) . . . . .		10 00
284	Apr. 18, 1903	Miss E. M. Brown, Typewriting . . . . .		12 00
285	Apr. 18, 1903	Miss Gussie Clark, Typewriting . . . . .		3 60
286	Apr. 18, 1903	Miss Gussie Clark, Typewriting . . . . .		20 20
287	Apr. 18, 1903	Hawaiian News Co., Stationery . . . . .		4 25
288	Apr. 18, 1903	F. F. Fernandes, Typewriting Judiciary Committee Reports . . . . .		8 00
289	Apr. 18, 1903	F. F. Fernandes, Typewriting Report of Committee on County Bill . . . . .		18 00
290	Apr. 18, 1903	Eli J. Crawford, Translating Senate Bills . . . . .		7 50
291	Apr. 18, 1903	Eli J. Crawford, Translating Senate Bills . . . . .		18 50
292	Apr. 18, 1903	Henry C. Birbe, Jr., Typewriting . . . . .		2 75
293	Apr. 18, 1903	Henry C. Birbe, Jr., Typewriting . . . . .		1 50
294	Apr. 18, 1903	R. A. Kearns, Stenographic Services, Typewriting and Transcribing (Committee visiting Molokai) . . . . .		54 85
295	Apr. 18, 1903	R. A. Kearns, Typewriting . . . . .		1 50
296	Apr. 18, 1903	F. J. Testa, One-half of Cost of Clerical Assistance, Typewriting, etc., Conference Committee on County Bill . . . . .		190 50
297	Apr. 18, 1903	Wm. Holli Thornton, Services as Sergeant-at-Arms at Conference Committee . . . . .		9 00
298	Apr. 18, 1903	H. P. Haiola, Hack Hire to Kalihl Receiving Station and Return (Committee on Molokai) . . . . .		4 00
299	Apr. 18, 1903	Ed Towse, Services as Clerk (Committee on Public Lands, etc.) . . . . .		30 00
300	Apr. 25, 1903	William Savidge, Salary as Clerk . . . . .		60 00
301	Apr. 25, 1903	Noa W. Aluli, Salary as Assistant Clerk . . . . .		36 00
302	Apr. 25, 1903	Eli J. Crawford, Salary as Interpreter . . . . .		48 00
303	Apr. 25, 1903	Wm. Holli Thornfon, Salary as Sergeant-at-Arms . . . . .		30 00
304	Apr. 25, 1903	David Kama, Salary as Messenger . . . . .		18 00
305	Apr. 25, 1903	J. M. Ezera, Salary as Chaplain . . . . .		15 00

## EXPENSES.

No.	Date.	To whom.	For.	Amount.
306	Apr. 25, 1903	Solomon Paawela, Salary as Janitor . .		12 00
307	Apr. 25, 1903	R. A. Kearns, Typewriting Senate Bills...		78 60
308	Apr. 25, 1903	R. A. Kearns, Typewriting .....		1 00
309	Apr. 25, 1903	Mary F. Buckland, Typewriting .....		10 50
310	Apr. 25, 1903	P. Maurice McMahon, Typewriting .....		2 50
311	Apr. 25, 1903	P. Silva, Typewriting House Bill No. 64		116 25
313	Apr. 25, 1903	Eli J. Crawford, Translating Senate Bills		24 50
314	Apr. 25, 1903	Haw'n. Star. N. Assn., Printing Senate Bills . . . . .		52 50
315	Apr. 25, 1903	J. H. Harrison, Typewriter Roller .....		2 50
316	Apr. 25, 1903	L. C. Ables, Expert Services .....		46 90
317	Apr. 25, 1903	A. Barnes, Services Checking Books of Land Office . . . . .		50 00
318	Apr. 25, 1903	R. A. Kearns, Typewriting .....		3 45
319	Apr. 25, 1903	M. LoFenz, Services Examining Pahoa Pumping Station . . . . .		100 00
321	Apr. 25, 1903	Paul R. Isenberg, Translating report Attorney General's Department . . . . .		100 00
322	Apr. 25, 1903	R. A. Kearns, Typewriting and Proof-reading County Bill . . . . .		189 75
323	May 2, 1903	William Savidge, Salary as Clerk .....		20 00
324	May 2, 1903	Noa W. Aluli, Salary as Assistant Clerk		12 00
325	May 2, 1903	Eli J. Crawford, Salary as Interpreter . .		16 00
326	May 2, 1903	Wm. Holl Thornton, Salary as Sergeant-at-Arms . . . . .		10 00
327	May 2, 1903	David Kama, Salary as Messenger .....		6 00
328	May 2, 1903	Solomon Paawela, Salary as Janitor .....		4 00
329	May 2, 1903	J. M. Ezera, Salary as Chaplain .....		5 00
330	May 2, 1903	William Savidge, Postage Stamps .....		20 00
331	May 2, 1903	William Savidge, Extra Salary as Clerk..		450 00
332	May 2, 1903	Noa W. Aluli, Extra Salary as Assistant Clerk . . . . .		120 00
333	May 2, 1903	Eli J. Crawford, Extra Salary as Interpreter . . . . .		120 00
334	May 2, 1903	Wm. Holl Thornton, Extra Salary as Sergeant-at-Arms . . . . .		60 00
335	May 2, 1903	David Kama, Extra Salary as Messenger..		90 00
336	May 2, 1903	Solomon Paawela, Extra Salary as Janitor		60 00
337	May 2, 1903	J. M. Ezera, Extra Salary as Chaplain...		60 00
338	May 2, 1903	J. M. Keanu, Engrossing Senate Bill 115		10 00
339	May 2, 1903	Haw'n. Star N. Assn., Printing Report Covers . . . . .		2 00
340	May 2, 1903	P. Silva, Typewriting House Bill 64 . .		42 00
341	May 2, 1903	Wall, Nichols Co., Stationery . . . . .		35 25
342	May 2, 1903	Miss F. McTighe, Engrossing Senate Bills		12 50
343	May 2, 1903	Haw'n. News Co., Stationery . . . . .		31 48
344	May 2, 1903	J. D. Avery, Transcribing and attendance Conference Committee on County Bill (½ paid by House of Representatives)		44 65

## EXPENSES.

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No.	Date.	To whom.	For.	Amount.
345	May 2, 1903	Geo. Roenitz, Typewriting . . . . .		3 00
346	May 2, 1903	Ed Towse, Typewriting for Committee on Public Lands, etc. . . . .		23 00
347	May 2, 1903	F. F. Fernandes, Typewriting Committee reports . . . . .		3 50
348	May 2, 1903	R. A. Kearns, Engrossing Senate Bills and Assistance to Clerk on last day of ses- sion . . . . .		73 60
349	May 2, 1903	C. K. Buckland, Proof-reading Senate Bills and hack hire, messenger expenses on last day of session . . . . .		17 75
350	May 2, 1903	Mary F. Buckland, Engrossing Senate Bills . . . . .		43 75
351	May 2, 1903	William Savidge, Incidentals . . . . .		78 00
352	May 2, 1903	R. A. Kearns, Typewriting report re Band		1 35
353	May 12, 1903	Thos. G. Thrum, Stationery . . . . .		5 10
354	May 12, 1903	W. W. Dimond & Co., 1 Water Filter..		6 90
355	May 12, 1903	Miss Gussie Clark, Engrossing Bills ....		42 20
356	May 12, 1903	R. A. Kearns, Typewriting Senate Bills...		11 50
357	May 12, 1903	D. Paul R. Isenberg, Towels purchased for the Senate . . . . .		2 00
358	May 12, 1903	R. A. Kearns, Typewriting . . . . .		1 70
359	May 28, 1903	Bulletin Pub. Co., Advertising Tenders for Printing Journal . . . . .		16 00
360	May 28, 1903	Haw'n. Star N. Assn., Advertising Tenders for Printing Journal . . . . .		16 00
361	May 28, 1903	Haw'n. Gazette Co., Advertising Tenders for Printing Journal . . . . .		17 00
362	June 1, 1903	William Savidge, 40 days' Salary allowed for typewriting and compiling Journal		400 00

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Total Expenses Regular Session to Date.....\$ 18,530 43

## SUMMARY.

By appropriation for the Senate of the year 1903, including Special Session of the year 1902.....	\$ 25,000 00
Total Expenses of the Special Session, 1902.....	\$ 4,028 70
Total Expenses, Regular Session, 1903, to date.....	18,530 43
Unexpended Balance . . . . .	2,440 87
	<hr/>
	\$ 25,000 00



**EXPENSES.**

Estimated Expenses still to be paid:

Compiling and Printing Senate Journals .....	\$ 2,000 00
Incidentals . . . . .	140 87
Leaving unexpended balance of . . . . .	300 00
	<hr/>
	\$ 2,440 87
	<hr/>

E. and O. E.

Honolulu, H. T., June 30th, 1903.

WILLIAM SAVIDGE,

Approved:

Clerk of the Senate.

D. PAUL R. ISENBERG,

Chairman Committee on Accounts.











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